



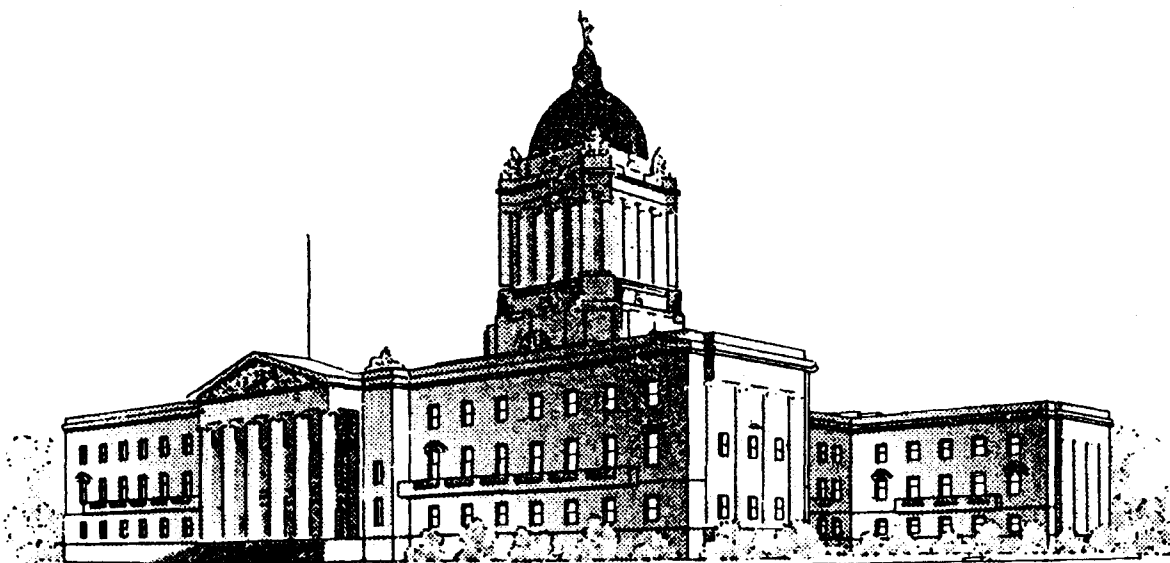
Second Session - Thirty-Sixth Legislature

of the

Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS
(Hansard)**

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The Honourable Louise M. Dacquay
Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Sixth Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ASHTON, Steve	Thompson	N.D.P.
BARRETT, Becky	Wellington	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave	Kildonan	N.D.P.
CUMMINGS, Glen, Hon.	Ste. Rose	P.C.
DACQUAY, Louise, Hon.	Seine River	P.C.
DERKACH, Leonard, Hon.	Roblin-Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary	Concordia	N.D.P.
DOWNEY, James, Hon.	Arthur-Virden	P.C.
DRIEDGER, Albert, Hon.	Steinbach	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry, Hon.	Lakeside	P.C.
ERNST, Jim, Hon.	Charleswood	P.C.
EVANS, Clif	Interlake	N.D.P.
EVANS, Leonard S.	Brandon East	N.D.P.
FILMON, Gary, Hon.	Tuxedo	P.C.
FINDLAY, Glen, Hon.	Springfield	P.C.
FRIESEN, Jean	Wolseley	N.D.P.
GAUDRY, Neil	St. Boniface	Lib.
GILLESHAMMER, Harold, Hon.	Minnedosa	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSEN, Gerard	Flin Flon	N.D.P.
KOWALSKI, Gary	The Maples	Lib.
LAMOUREUX, Kevin	Inkster	Lib.
LATHLIN, Oscar	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
MACKINTOSH, Gord	St. Johns	N.D.P.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McALPINE, Gerry	Sturgeon Creek	P.C.
McCRAE, James, Hon.	Brandon West	P.C.
McGIFFORD, Diane	Osborne	N.D.P.
McINTOSH, Linda, Hon.	Assiniboia	P.C.
MIHYCHUK, MaryAnn	St. James	N.D.P.
MITCHELSON, Bonnie, Hon.	River East	P.C.
NEWMAN, David	Riel	P.C.
PALLISTER, Brian, Hon.	Portage la Prairie	P.C.
PENNER, Jack	Emerson	P.C.
PITURA, Frank	Morris	P.C.
PRAZNIK, Darren, Hon.	Lac du Bonnet	P.C.
RADCLIFFE, Mike	River Heights	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack, Hon.	Niakwa	P.C.
RENDER, Shirley	St. Vital	P.C.
ROBINSON, Eric	Rupert Island	N.D.P.
ROCAN, Denis	Gladstone	P.C.
SALE, Tim	Crescentwood	N.D.P.
SANTOS, Conrad	Broadway	N.D.P.
STEFANSON, Eric, Hon.	Kirkfield Park	P.C.
STRUTHERS, Stan	Dauphin	N.D.P.
SVEINSON, Ben	La Verendrye	P.C.
TOEWS, Vic, Hon.	Rossmere	P.C.
TWEED, Mervin	Turtle Mountain	P.C.
VODREY, Rosemary, Hon.	Fort Garry	P.C.
WOWCHUK, Rosann	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 23, 1996

The House met at 1:30 p.m.

PRAYERS

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Seasonal Camping Fees

Mr. Oscar Lathlin (The Pas): Madam Speaker, I beg to present the petition of Carlos Viegas, Don Kerwin, Ian Henderson and others urging the provincial government not to increase seasonal camping fees by such a large amount.

Home Care Services

Ms. Jean Friesen (Wolseley): Madam Speaker, I beg to present the petition of Ardythe Basham, R. Reisel, Jason Kircher and others requesting the Premier (Mr. Filmon) and the Minister of Health (Mr. McCrae) consider reversing their plan to privatize home care services.

The Salvation Army Catherine Booth Bible College

Mr. Marcel Laurendeau (St. Norbert): Madam Speaker, I beg to present the petition of The Salvation Army Catherine Booth Bible College praying for the passing of An Act to change the name from The Salvation Army Catherine Booth Bible College to The Salvation Army William and Catherine Booth College.

READING AND RECEIVING PETITIONS

Seasonal Camping Fees

Madam Speaker: I have reviewed the petition of the honourable member for The Pas (Mr. Lathlin). It complies with the rules and practices of the House (by leave). Is it the will of the House to have the petition read?

Some Honourable Members: Dispense.

Madam Speaker: Dispense.

WHEREAS seasonal camping has provided an affordable form of recreation for many Manitobans; and

WHEREAS the provincial government has announced increases in seasonal camping fees of up to 100 percent; and

WHEREAS this huge increase is far more than any cost-of-living increase; and

WHEREAS this increase will lead to many people being unable to afford seasonal camping.

WHEREFORE your petitioners humbly pray that the Legislative Assembly urge the provincial government not to increase seasonal camping fees by such a large amount.

Manitoba Telephone System

Madam Speaker: I have reviewed the petition of the honourable member for Wolseley (Ms. Friesen). It complies with the rules and practices of the House. Is it the will of the House to have the petition read?

An Honourable Member: Dispense.

Madam Speaker: Dispense.

THAT the Manitoba Telephone System has served this province well for over 80 years providing province-wide service, some of the lowest local rates in North America and thousands of jobs; and

THAT MTS has made over \$100 million since 1990 and this money has stayed in Manitoba; and

THAT MTS contributes \$150 million annually to the Manitoba economy and is a major sponsor of community events throughout the province; and

THAT MTS, with nearly 4,000 employees including more than 1,000 in rural and northern Manitoba, is one of Manitoba's largest firms, headquartered in Manitoba and is committed to Manitoba; and

THAT the provincial government has no mandate to sell MTS and said before and during the 1995 election that MTS was not for sale.

WHEREFORE your petitioners humbly pray that the Legislative Assembly of Manitoba request that the Premier (Mr. Filmon) not sell the Manitoba Telephone System.

Seasonal Camping Fees

Madam Speaker: I have reviewed the petition of the honourable member for Thompson (Mr. Ashton). It complies with the rules and practices of the House (by leave). Is it the will of the House to have the petition read?

An Honourable Member: Yes.

Madam Speaker: Yes. The Clerk will read.

Mr. Clerk (William Remnant): The petition of the undersigned citizens of the province of Manitoba humbly sheweth that:

WHEREAS seasonal camping has provided an affordable form of recreation for many Manitobans; and

WHEREAS the provincial government has announced increases in seasonal camping fees of up to 100 percent; and

WHEREAS this huge increase is far more than any cost-of-living increase; and

WHEREAS this increase will lead to many people being unable to afford seasonal camping.

WHEREFORE your petitioners humbly pray that the Legislative Assembly urge the provincial government not to increase seasonal camping fees by such a large amount.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

Committee of Supply

Mr. Marcel Laurendeau (Chairperson of Committees): Madam Speaker, the Committee of Supply has adopted certain resolutions and directs me to report the same and asks leave to sit again.

I move, seconded by the honourable member for Crescentwood (Mr. Sale), that the report of the committee be received.

Motion agreed to.

INTRODUCTION OF BILLS

Bill 62—The Jobs Fund Repeal Act

Hon. Jim Ernst (Minister of Consumer and Corporate Affairs): I move, on behalf of the honourable Minister of Environment (Mr. Cummings), and seconded by the Minister of Education (Mrs. McIntosh), that leave be given to introduce Bill 62, The Jobs Fund Repeal Act (Loi abrogeant la Loi sur le Fonds de soutien à l'emploi), and that the same be now received and read a first time.

Motion agreed to.

Bill 63—The Statute Law Amendment (Taxation) Act, 1996

Hon. Jim Ernst (Minister of Consumer and Corporate Affairs): Madam Speaker, I move, on behalf of the honourable Minister of Finance (Mr. Stefanson), seconded by the Minister of Health (Mr. McCrae), that leave be given to introduce Bill 63, The Statute Law Amendment (Taxation) Act, 1996 (Loi de 1996 modifiant diverses dispositions législatives en matière de fiscalité), and that the same be now received and read a first time.

His Honour the Lieutenant Governor, having been advised of the contents of this bill, recommends it to the House, and I have attached the message from the Lieutenant Governor.

Motion agreed to.

**Bill 66—The Boxing and Wrestling Commission
Amendment Act**

Hon. Jim Ernst (Minister charged with the administration of The Boxing and Wrestling Commission Act): I move, seconded by the Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer), that leave be given to introduce Bill 66, The Boxing and Wrestling Commission Amendment Act (Loi modifiant la Loi sur la Commission de la boxe et de la lutte), and that the same be now received and read a first time.

Motion agreed to.

* (1335)

Bill 205—The Dutch Elm Disease Amendment Act

Ms. Jean Friesen (Wolseley): Madam Speaker, I move, seconded by the member for The Pas (Mr. Lathlin), that leave be given to introduce Bill 205, The Dutch Elm Disease Amendment Act; Loi modifiant la Loi sur la thylose parasitaire de l'orme, and that the same be now received and read a first time.

Motion agreed to.

Introduction of Guests

Madam Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have this afternoon forty Grade 6 students from Mahnomen Elementary School under the direction of Mrs. Julie Sanders. This school is located in Minnesota, U.S.A.

Also, we have 27 seniors from Concordia Day Club Seniors under the direction of Mrs. Colleen Epp. This club is located in the constituency of the honourable member for Radisson (Ms. Cerilli).

On behalf of all honourable members, I welcome you this afternoon.

* (1340)

ORAL QUESTION PERIOD

**Teaching Profession
Collective Bargaining**

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, my question is for the First Minister.

Manitobans are at a point, a fork in the road in terms of public education in this province. We have one way to go, which is a way of treating public education and all partners in public education with respect, with dignity in a co-operative partnership model, and we have a different way to go, a route of confrontation, conflict and divisive policies that sets one partner against another.

In the public hearings across this province, people across this province spoke out loud and clear that they wanted a system of partnership with teachers, trustees, parents, kids and the government. Why has this Premier chosen to ignore again the wishes of the public and chosen the route of confrontation and disrespect for the profession of teaching rather than a route of partnership, co-operation and respect, Madam Speaker?

Hon. Gary Filmon (Premier): Madam Speaker, our government wants to engage in partnership with all elements of the education community.

We want to ensure that we have a system of public education that respects the rights, the responsibilities and the needs of all those who depend upon public education. We want to ensure that the needs of the children, who have a right to be educated to a high-quality education in our public school system, are respected. We want to ensure that the rights of those who fund public education, that is, the public at large, are respected. We want to ensure that the rights of those who work in public education, the teachers, the support staff, the administration, that all of those people are respected.

We want to ensure, as well, that the rights of those who depend upon education for the furtherance in the economic development and the future growth of our province are respected, and in that respect, we have to consider people of all those different groups.

We do not pick and choose. We have to ensure that we try and find a balance point that respects the rights and

the responsibilities of everybody in the process, and that is exactly what we are attempting to do, Madam Speaker.

Mr. Doer: In our opinion, you have blown this balance that we have had in this province for the last 40 years. You have disregarded your election promise to work in partnership with teachers and trustees. You have basically squeezed the teachers and education system and our kids one way by cutting some \$43 million out of public education in the last four years, and now you are taking away the very rights of people that are working at the grassroots level, working in our public education system day in and day out trying to provide quality education to our kids. You have cut away their ability to bargain and to deal with rights that they need to provide quality education and a secure education system in the classroom.

Why is this Premier attacking the morale and the professionalism of teachers in such a deliberate way? Why is he deliberately setting out to have conflict with teachers, rather than partnership and co-operation moving into the 21st Century?

Madam Speaker: Order, please. I would like to remind the Leader of the official opposition, the comments are to be addressed through the Chair and not directly to the First Minister.

Mr. Filmon: Madam Speaker, the Leader of the Opposition may choose to ignore it. He does not have to deal with reality. The fact of the matter is that we are in the midst of a two-year period in which we are receiving a reduction in transfer payments from Ottawa for health and education of \$220 million. In the space of two years, we will be receiving \$220 million annually less than we were receiving from Ottawa in transfer payments.

Madam Speaker, difficult decisions and choices have to be made. Nobody is dislocated from the economic reality of society. Nobody in society, especially those who depend upon the public sector for their income and support, can be immune to the effects of those kinds of transfer payment reductions.

We as a government do not choose to have to deal with that. We did not choose to have to deal with the debt and deficit that was increased over all the years by the New Democrats in this province. We did not choose to have

to deal with a half billion dollars of annual deficits that were added to the taxpayer for six and a half years under the NDP.

The fact of the matter is that it had to be done, and the interest costs on that debt and in fact the burden of the transfer payment reductions have to be dealt with. In doing so, we have to set up a system that is fair and equitable to all of those who are partners in this society, to all of those who depend upon the government for their support and for all of those who pay taxes to government for the services they receive. All those people have to be taken into account and we are attempting to find that balance, unlike members opposite who can promise everything to everybody and never tell anybody how they would deal with economic reality.

* (1345)

Mr. Doer: Madam Speaker, this government did have choices. It chose to increase the funding to private schools by some 13 percent when it cut the public school system by minus 2 after minus 2 after minus 2. This government had the choice to freeze their salaries, which we have suggested, rather than taking a wage increase. The Premier and members of cabinet and the Leaders of the Opposition had choices to take wage freezes like teachers have done in nine school divisions through the present system. He has blown the balance that is presently in the Manitoba public education system. He is going to ruin the public education system with his squeeze on money and squeeze on the profession of people working in the education system.

We need teachers. We need good teachers who have a positive morale in our classroom. We need safe classrooms, and we need the partnership of teachers to move into the 21st Century with new curriculum that our kids will need. Why has this government again chosen conflict over partnership? Why has it made the choices to fund the independent and private schools by 13 percent when it has cut in the same year minus 2 for public education? Why can we not have the balance here in Manitoba where we work in partnership with people that have taken a zero percent negotiated increase in the present arbitration system? Why do we have an attack on their rights such as layoffs, such as classroom sizes and other issues that will affect the quality of education for all our kids in the future? Why have we done that?

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, I think this is a very important question that has been asked and a very important history that needs to be understood. First of all, the people I think here have to understand that the public of Manitoba, the people who live in Manitoba have been given the right to have a public school education system that they control by electing people to speak for them to decide things such as what kind of schools they are going to have, what kind of courses that are going to be taught in their schools, those kinds of things that are definitely within the purview of school decision making. The public has that right to make those decisions.

As well, the people who work in the system have the right to have their needs addressed when they are working in the system. Some 40 years ago binding arbitration was put in place. At that time and for about 30 years after that, binding arbitration dealt with issues that were different than the issues it currently deals with. Over the last decade, items have begun to come into collective agreements that were never part of the original intention or foreseeing. Now we have the public of Manitoba seeing decisions on things that are clearly understood in The Public Schools Act to be things that are managerial rights.

We are saying we need to find the balance that has been identified as a concern, and I will explain more later.

Introduction of Guests

Madam Speaker: Order, please. Prior to recognizing the honourable member for Wolseley, I would like to draw the attention of all honourable members to the loge to my left where we have with us this afternoon Mr. Herold Driedger, the former member for Niakwa.

On behalf of all honourable members, I welcome you this afternoon.

* (1350)

Teaching Profession Collective Bargaining

Ms. Jean Friesen (Wolseley): Madam Speaker, when I first saw the minister's proposals for teachers I argued

that this was not about enhancing accountability nor about ensuring quality. It was about enhancing authority and ensuring obedience, and that, in fact, is what it is all about, enhancing the authority of a government which brooks no opposition and ensuring the mute obedience of 12,000 professional teachers. It is also about the integrity of the process of the government of Manitoba, and I want to ask the Minister of Education to explain where is the respect for Manitobans in her process which makes public the Render-Dyck report on one day, immediately accepts those recommendations on the same day, refuses further discussions with any of the partners and intends to table legislation within days. Where is the partnership?

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, not accepting any or part of the premise in the preamble the member has stated as fact—because I have never refused to meet with anybody—I would indicate that in terms of respect for Manitobans, when you have the situation come about as it did in recent years where one party to the bargaining process says that the system of binding arbitration has changed, it has mushroomed over the last 10 years to include things that it was never intended to include and that they can no longer cope and they are willing as a last resort even to accept something as untenable as strike, then the government has an obligation to examine that issue so that both partners to the bargaining process can feel they have a fairly treated system.

In terms of what was asked for in the hearings, the hearings were largely attended by teachers who made requests, and here is what they said and here is what we listened to and here is what we did. The teachers said they did not want to have strike.

Ms. Friesen: Could the minister explain to Manitobans why she is so determined to undermine the teaching profession that she wants to exclude their voice from the negotiation of courses and programs, the method and time of reporting to parents, and school hours? How does this bring the best of all minds, the stakeholders, the partners in Manitoba education, how does this bring them to bear on the future of Manitoba's children?

Mrs. McIntosh: Madam Speaker, as I indicated, there are some things that have always been known and understood to be managerial rights. They have never

until recent years been sought to be the subject of bargaining. The member mentioned school hours. That is determined in The Public Schools Act. The school day shall be a certain number of hours. It is not a negotiable item.

In terms of respect for Manitobans, when you have items like that that clearly will impact the way in which education is delivered for the people who have students in the schools, their right to have the kind of schooling they want is not something that should be the matter of bargaining. There are so many things that should be the matter of bargaining and they are still there. We have still a lengthy, lengthy list of things that are still more in excess of things than used to be bargained in the 30 years preceding this last 10.

Teachers indicated in hearings that they did not want strike. We are not having strike. Teachers said they wanted school board books open to the public; they are going to be open to the teachers now. Teachers said they wanted to retain a form of binding arbitration. We are doing that.

Ms. Friesen: Madam Speaker, could the minister answer the question she could not answer yesterday? In determining the ability to pay, do Manitobans believe her document which places Manitoba as eight out of 10 in provincial economies or are they to believe the Minister of Finance (Mr. Stefanson) who believes the Manitoba economy is steamrolling ahead? Does the minister have an answer—

Madam Speaker: Order, please. The question has been put.

Mrs. McIntosh: Madam Speaker, eight out of 10 is cost of living. We will just put that as an aside.

I indicate—

Some Honourable Members: Oh, oh.

Madam Speaker: Order, please. The honourable Minister of Education, to complete her response.

Mrs. McIntosh: I indicate to the member that in terms of having arbitration boards now be able to consider ability to pay, which they did not before consider, we are

not talking the way the member is implying. We are saying it is one of the factors that needs to be considered when you look at local needs and local decision making. Different areas have different needs. There may be one area that, for example, does not require teachers to be there at noontime because it is a city riding, but for an urban dwelling it might be something that is necessary. We should no longer have precedents set based on—

Madam Speaker: Order, please.

Point of Order

Mr. Steve Ashton (Opposition House Leader): Madam Speaker, on a point of order, Beauchesne Citation 417 is very clear that “answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate.”

Our Education critic asked which economic statistics we were supposed to believe, the ones that were put out in the Minister of Education's document or the Minister of Finance, and her answer has nothing to do with any of the question.

I would like to ask you to ask her to come to order and answer the very serious question we have raised about the statistics that are being used.

Madam Speaker: On the point of order by the honourable member for Thompson, indeed the honourable member for Thompson does have a point of order. I would remind the honourable minister to respond to the question asked and keep her answer as brief as possible.

* * *

Madam Speaker: The honourable Minister of Education, to quickly complete her response.

* (1355)

Mrs. McIntosh: Madam Speaker, I thought the member had asked what criteria were we going to use for ability to pay. I would indicate that in the past, ability to pay was never considered. It was always deemed that, because the school boards had ability to go to the taxpayers, they had unlimited ability to pay. We are now

saying that must be considered not only in terms of expenditure but also in terms of revenue. I believe that does answer the question asked.

Headingley Correctional Institution Temporary Absences

Mr. Gord Mackintosh (St. Johns): Madam Speaker, my question is to the Minister of Justice.

This week when the minister announced that Mr. Hughes's inquiry would be extended to include a consideration of the events regarding the release of inmates following the Headingley riot, she included in the terms of reference the question of whether her officials acted unlawfully, a term which we find of utmost interest.

My question to the minister is: Is one of the possible unlawful actions on her mind releasing inmates the likes of Mr. Rouire who apparently breached every probation order against him, against established Corrections policy which we understand normally precludes release when probation orders are in breach?

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Madam Speaker, I referred those terms of reference to Mr. Hughes to very specifically examine all elements of procedures of release.

Madam Speaker, the member knows very well that I am unable to speak about a case which is currently before the court where the individual has been charged.

Mr. Mackintosh: Was another one of the possible unlawful actions on the minister's mind releasing inmates the likes of Mr. Rouire who was released from April 26 to May 24, against established Corrections policy which we understand generally restricts T.A.s to a maximum of 15 days?

Mrs. Vodrey: Madam Speaker, I would really love to be able to give the details. I would really love to be able to clarify what the member continually puts up, but as Attorney General my case must be put before the court and that is exactly what I will be doing.

Mr. Mackintosh: Will the minister, who should understand that I am asking questions of general policy, tell this House—the minister who assured this House last

June alone that inmates who were a manageable risk would have—and I use her words—very intensive supervision on their release, explain how the Community Release Centre, which supervises temporary absences, now with less than half the staff that it had before under this minister, how can it effectively do its job given the new rush of T.A.s? How could it do more—

Madam Speaker: Order, please. The question has been put.

Mrs. Vodrey: Madam Speaker, I know that we are in the Estimates of the Department of Justice, so we will be able to look at exactly the work of the CRC, the Community Release program, and we will be able to look at exactly the kinds of support that they offer, including support such as home visits. We will be able to look in detail at exactly what the work is that is done when I am able to provide you with a longer answer than I am during the time of Question Period.

* (1400)

Headingley Correctional Institution Early Release—Sexual Offenders

Ms. Diane McGifford (Osborne): Madam Speaker, it has been reported that among 11 inmates released from Headingley in the wake of the riot, three are rapists and eight are child molesters, two of whom have committed very serious crimes, who have refused treatment, who may well pose a danger to our communities and whose names have not been forwarded to the Community Notification Advisory Committee.

Yesterday the minister prevaricated and said she did not have the information but that she would do her homework. I want to ask the Minister of Justice if she has managed to check into these serious matters and if she can confirm that 11 sex offenders, including eight pedophiles, two of whom have committed serious crimes, were granted early release from Headingley.

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Madam Speaker, the fullness of my answer will depend upon the time allowed to provide the answer. I am happy to provide the information and I will provide as much as I can in this time and the rest during Estimates, if that is what is required.

There were 44 sex offenders at Headingley Correctional Institute at the time of the riot. Thirty-one of those offenders are still in custody. Five were released and they were released for the following reasons. One received bail because the inmate had a case before the Court of Appeal. That was a court-ordered release. The other four were among those that I spoke about on Friday, and I would like to make it very clear. On Friday, I addressed the issues of four specific inmates who were raised by name. I never at any time ever indicated that those were the only four—ever. That is only in the minds of the members across the way. On Friday I addressed an issue of four inmates who were named on a radio program and I was able to provide the information to the community about those four. I am pleased to provide further information today, if members want it.

Ms. McGifford: Madam Speaker, there is commission and omission.

Can the minister tell us if she has forwarded any names to the Community Notification Advisory Committee and, if so, why this was not done earlier?

Mrs. Vodrey: Madam Speaker, it may be most helpful to carry on talking about the release of inmates and this may begin to answer some of the questions. So I have now spoken about five who were released and their release—

Madam Speaker: Order, please.

Point of Order

Mr. Steve Ashton (Opposition House Leader): Madam Speaker, there was a specific question. If the minister has information, I would suggest, first of all, that she table the document and we would be more than willing to revert to Ministerial Statements to give her the time to be able to put a detailed response to the questions we have raised on the record. But it is not in order for her to get up on another question and then continue with answers—by the way, answers which should have been provided a long time ago in this House.

So we would request that she table the document and that we revert to Ministerial Statements to deal with any detailed response.

Madam Speaker: Order, please. On the point of order raised by the honourable member for Thompson, with the greatest of respect, the minister had just started her response, and it is very difficult to be able to rule whether indeed she was about to respond to the question in her further remarks. Therefore, there is no point of order.

* * *

Madam Speaker: The honourable Minister of Justice, to complete her response.

Mrs. Vodrey: Thank you very much, Madam Speaker. The important part in the response which I am attempting to give is whether or not, No. 1, the victims were notified and that is the issue that I am trying to explain now. I can tell the member it is very difficult to go through without going through individually, but victims were contacted where inmates were in for a sexual offence and, in some cases, victims who were not living in the province were unable to be contacted. The Community Notification Committee has contacted Corrections, is also going to be reviewing the files. But the important question has been and was raised and the information that I promised to get was were victims notified and, again, I want to be very clear. I am happy to go through the details of where we could notify the victim so there is no mistake in the minds of members opposite, but I can tell them that where possible victims were notified. However, where individuals had in fact completed the program in place for sexual abusers, the victim was not notified.

Women's Safety Government Commitment

Ms. Diane McGifford (Osborne): Madam Speaker, given the minister's prevarication and uncertainty in the entire Headingley fiasco, given her opaqueness, what will the Premier do to reassure Manitobans that this government has a serious commitment to the safety of women and children?

Hon. Gary Filmon (Premier): Madam Speaker, this government, since its inception, has dramatically increased funding to women's shelters, has instituted a program of zero tolerance, has done many things to ensure the safety and security of women and children. The member for Osborne ought to know that.

Education System Funding Formula

Mr. Gary Kowalski (The Maples): Madam Speaker, my question is for the Minister of Education.

Provincial funding for public schools reached its highest in 1992, and since then we have had three reductions and one freeze. I would like to table a graph which traces public school funding since 1988.

In 1988, this government spent 14.5 percent of its total budgetary expenditures on funding for public schools, while in 1996 it only spent 13.9 percent. It also shows that we are now funding our public schools at exactly the same level as we were in 1990.

My question to the Minister of Education is, can the minister justify 1990 spending levels for public schools, given the fact that student enrollment, inflation and costs mean that 1990 education funding levels do not go so far in the economic realities of 1996?

Hon. Linda McIntosh (Minister of Education and Training): I thank the member for the question. I indicate that since we took office in '87-88, in that year, the cost of living has risen 32.5 percent while support to schools has risen 36 percent. I also indicate to the member that the percentage of the provincial budget spent on schools at that time was 11.4 percent and today is 12.2 percent. We have had an increase from \$660 million to \$745 million over that time. I acknowledge that if you look at the graph, our funding went up and when it hit the problems we began to have with the federal transfer cuts—and maybe the member could help us here with his connections and see if we could get back, please, the \$220 million cut that is roughly the equivalent to the entire operating budget of the University of Manitoba, might help us somewhat in education. I would appreciate his assistance on that.

Mr. Kowalski: Madam Speaker, will the Minister of Education confirm that the impending changes to teacher collective bargaining designed to take even more money out of the education system were motivated by fiscal considerations rather than an attempt to improve the educational system in Manitoba?

Mrs. McIntosh: Madam Speaker, we are trying very hard to ensure that we get an absolutely good balance in

the bargaining process in education in Manitoba. As I indicated earlier, in 1956 when binding arbitration came in as a dispute resolution, it was never envisioned that it would mushroom as it has in the last decade to include the number of things that it currently includes.

But still, if trustees wish to, they can negotiate anything they want to at the table with their staff members. Trustees can bring forward any item they wish to the staff table, but we are saying that there are certain managerial rights which have been identified—by history, they are managerial rights and are known to be such—that while they can be bargained and negotiated and settled, should not go to arbitration. There should be no concern about that because teachers have told us for years that all arbitration decisions are made upon decisions voluntarily made in the marketplace in the first instance.

Mr. Kowalski: Will the First Minister who campaigns on a theme of Manitoba Strong and then proceeds to implement policies which suggest that we may have misheard his catchy slogan—it was not Manitoba strong; it was Manitoba for the strong, for the powerful, for the well connected—will the Premier call off his government's vicious attack on teachers, health care workers, public sector employees? Will he quit attacking working Manitobans?

Hon. Gary Filmon (Premier): Madam Speaker, given that the party to which the member opposite belongs in Ottawa is cutting \$220 million a year in transfer payments from government here in Manitoba, he has no right whatsoever to stand up and criticize this government for having to live within the means that are given to us. He ought to go and talk to his friends in Ottawa and tell them not to cut \$220 million a year so that we could provide the funding that he asks of us.

Point of Order

Mr. Kevin Lamoureux (Inkster): Madam Speaker, on a point of order, there is an obligation for the Premier to answer the question that is being posed. To try to pass responsibility or pass the buck onto the federal government is irresponsible, and we request that the Premier actually stand up for Manitobans as suggested from the member for The Maples. Take responsibility for actions your government is taking.

Madam Speaker: Order, please. The honourable member for Inkster does not have a point of order. It is clearly a dispute over the facts.

* (1410)

Teaching Profession Collective Bargaining

Mr. Steve Ashton (Thompson): Madam Speaker, we have just seen the release of a document that is sort of equivalent to the War Measures Act of collective bargaining for teachers, and I want to get to the Minister of Education's real agenda—

Madam Speaker: Order, please. I would ask for the co-operation of all members in the public gallery to observe the House rules and that includes no participation during the course of the Question Period.

The honourable member for Thompson, to pose a question.

Mr. Ashton: Madam Speaker, we are asking this government to follow the fairness and rules of collective bargaining, and I want to ask the Minister of Education whether her personal agenda is involved with this.

Last week we heard some of her philosophy about collective bargaining in this House. This is the same minister who said about teachers, the pink car campaign, made reference to these crummy things shoved in people's faces in the mail—these are comments in Hansard—and who also in Hansard—and this is the Minister of Education who has to work with teachers—who said that teachers ask for a 10-month pay period because they found it really awkward driving in from the lake to pick up that August cheque.

Will the Minister of Education withdraw her personal agenda, which is one of confrontation with teachers, deal with them fairly and withdraw this vicious document that is an attack on the teachers of this province?

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, I think the member's accusations reveal much more about him than they do about me, and I will not even dignify them with a response in terms of the preamble, but I will answer the

question he asked when he asked what my real agenda was.

My real agenda is to try to get some balance into collective bargaining in the system for Manitoba so that ratepayers, through their elected representatives, do have the right to determine the way they want to see their schools run.

We have been eminently fair. The member refers to the document. Let me tell you, this is a very important answer. In response to that document, hundreds of teachers came out and told us that they wanted no strike, they wanted to retain local bargaining, they did not want their salaries rolled back, they wanted a new way to select an arbitrator, they wanted a single arbitrator from a jointly chosen list, they wanted to maintain remuneration for university courses, they wanted to add a mediation process, they did not want any action taking place without further consultation on a compensation package, they wanted the board's books to be open to teachers. I could go on and on, Madam Speaker.

We have given them all those things they asked for, and we have also given trustees some things that they have been asking for that they have never had.

Mr. Ashton: The only people who ask for this are the Conservative Party. I want to ask what the other agenda is. I want to ask the Minister of Education—

Point of Order

Mrs. McIntosh: On a point of order, Madam Speaker, the people who asked for this review were the trustees of Manitoba elected by the people of Manitoba. The people of Manitoba through their trustees asked for a review of a system they could not—

Madam Speaker: Order, please. The honourable Minister of Education does not have a point of order, but I would remind the honourable member for Thompson that there is to be no preamble on a supplementary question.

* * *

Madam Speaker: The honourable member for Thompson, to pose his question now.

Mr. Ashton: Madam Speaker, I will ask a supplementary to the minister, perhaps the Premier if he cares to answer this. I am wondering if the real agenda, in addition to the personal agenda of the Minister of Education, is not the fact that teachers dare to speak out against this government, including during the election. Are they now being punished for having exercised their democratic right in speaking out against the attacks on the public education system by the government? Is that the real agenda of this government?

Hon. Gary Filmon (Premier): No, Madam Speaker.

Teaching Profession Salaries

Mr. Kevin Lamoureux (Inkster): My question for the Premier is very simple and straightforward: Does the Premier believe teachers are overpaid?

Hon. Gary Filmon (Premier): It seems to me that the document itself says that there is no intent to roll back here, so I think that speaks for itself.

Mr. Lamoureux: The question that I pose to the Premier is, does he personally believe that teachers are overpaid?

Mr. Filmon: I already answered that.

Mr. Lamoureux: I would ask the Premier if in fact he believes that this document represents teachers' input to the whole educational process.

Hon. Linda McIntosh (Minister of Education and Training): I believe that I just read a fairly lengthy list of items that teachers had identified at the public hearings, saying, if we cannot have the status quo, which is our preference? The teachers made it very clear, our preference is the status quo, not the binding arbitration we lived with for the first 30 years but the type that evolved in the last 10 years. We want that status quo and anything less will not be what we really want. However, if you are going to make changes—and we had said, we have to make changes. The alternative is for boards to begin laying off hundreds of teachers. They have made that very clear. We cannot have that happen. If—[interjection]

Madam Speaker: Order, please. The honourable Minister of Education, to complete her response.

Mrs. McIntosh: Thank you, Madam Speaker. What we are saying then is that we have to have a change. The teachers said, if you are going to have a change, then make the changes this way, this way, this way; still let us have binding arbitration but in a modified form that includes these criteria.

We have included all of those criteria except for two. We have said that boards do have certain managerial rights and that the arbitrator must consider ability to pay as one of the many factors he considers.

Headingley Correctional Institution Riot Cleanup

Mr. Gary Doer (Leader of the Opposition): Madam Speaker, on national TV the Minister of Justice (Mrs. Vodrey) told Canadians and Manitobans that inmates responsible for the riot would clean up today or at the end of the week, which was four weeks ago. Yesterday I asked the Minister of Justice, those responsible for the riot, what cleanup and repair work had they done yesterday at the Headingley Correctional Institution? The minister said a work crew was fulfilling her commitment.

Could the Minister of Justice tell us today what specific cleanup and repair measures were being conducted at Headingley yesterday, and was it consistent with the national promise made by the Minister of Justice some four weeks ago?

Hon. Brian Pallister (Minister of Government Services): Yesterday inmates at Headingley began to participate in the cleanup exercises at that facility for the first time. There were legitimate reasons why the inmates were not involved in cleanup prior to that time, some of which were raised frankly by members opposite such as the concerns about the working conditions in the destroyed facility, such as concerns about the staff safety and other issues. These issues have in part been addressed, and the inmates are now involved in cleanup again today.

The reality is that inmates will be involved in washing down cells. Initially, as was the case yesterday, these were in areas that could be secured so that the safety of

supervisory staff could be considered and assured as well. But further cleanup is continuing and aggressive involvement by the inmates to mitigate the costs to the taxpayers of Manitoba is the goal, and it will be pursued by this government.

Mr. Doer: Madam Speaker, four weeks ago the Minister of Justice (Mrs. Vodrey) obviously should have known what the realities were at the jail before she did her in-the-face comments.

I would like to ask the Minister of Justice, how could she inform Manitobans yesterday that a work crew was fulfilling her commitment when in fact there was regular cleanup being conducted at the annex as has always been conducted, and there were two inmates cleaning dishes in the Headingley jail, which is the regular work routine of inmates in the jail, and they were not repairing and cleaning up the jail as the minister had said in this House yesterday?

* (1420)

Mr. Pallister: Madam Speaker, either the member opposite is misinformed or is deliberately misinforming the House. His facts are not there. He is guilty of a terminological inexactitude.

There were a number of inmates involved in cleanup yesterday. Though it was a small number, it was a start. It was a step in the right direction, and it needs to be followed and will be followed. There are aggressive plans being put together right now to wash down the cell-blocks on the third floor, second floor, main floor, basement levels to remove construction dust.

The inmates will be participating in the painting of cells, range and walkway areas. They will be doing final painting of corridors, some common areas. They will be involved in a number of tasks. They will be involved because damages were done to the taxpayers of this province. They were irresponsible. They were indefensible, and this government will do whatever it can to address the concerns of victims of crime. In this case the victims are taxpayers, and if we can mitigate a dollar of cost to the taxpayers of this province, it is a worthwhile pursuit, not one to be ridiculed by inconsiderate members opposite.

Madam Speaker: I am informed by the table officers, there are 30 seconds remaining. The honourable member

for St. James will be recognized to pose a very short question with a very short response.

Teaching Profession Collective Bargaining

Ms. MaryAnn Mihychuk (St. James): Madam Speaker, thank you. My question is to the Minister of Education.

Given that students and teachers are the most important facets of the classroom and learning and that this government clearly has shown its lack of commitment to those children by continuing to cut funding to public schools, how does this unprecedented attack on teachers enhance quality when teachers are dealing with larger class sizes, greater student needs, less supplies like workbooks and textbooks, more students dropping through the cracks and an Education minister who has betrayed them? The crisis in the classroom is not the fault of the teachers but this government.

Hon. Linda McIntosh (Minister of Education and Training): Madam Speaker, the member says crisis in a classroom. I visit classrooms regularly and I see classrooms working extremely well with dedicated teachers and children who want to learn. I also indicate—[interjection]

Madam Speaker, I would like to have as much time to answer as the question took.

I also indicate that all we were attempting to do here is to ensure a better balance in the bargaining process.

Madam Speaker: Order, please.

Point of Order

Mr. Steve Ashton (Opposition House Leader): On a point of order, Madam Speaker, I would just like to ask your ruling on whether it is in order for the Minister of Education, who does this on a fairly regular basis, to lecture you on her length of answers. I mean, she is continuously abusing Question Period with her lengthy answers.

I would like to ask you to call her to order and ask her to answer questions for once, instead of lecturing you or other members of the House on their behaviour.

Hon. Jim Ernst (Government House Leader):

Madam Speaker, on a point of order, clearly, your admonition to the member for St. James' at the start indicating 30 seconds were left, the question should be short, it took a very long time, totally ignoring your admonition. The fact of the matter is the Minister of Education should at least have the same amount of time to respond.

Madam Speaker: Order, please. On the point of order raised by the honourable member for Thompson, there were 30 seconds remaining. The honourable member for St. James did not consume, indeed, more than 30 seconds and I assumed that the honourable member for St. James wanted the courtesy of a response. I recognized the honourable Minister of Education who was attempting to give her response.

Now, legally, time for Oral Questions has expired. If it is the will of the House, I will afford the Minister of Education 30 seconds to respond to the member for St. James's question.

Mr. Ashton: Madam Speaker, just to make it clear. We have no problem granting leave for her to answer the question. Our problem was with the fact that she was trying to lecture you in the middle of her answer. We have no problem granting leave. If she will in fact answer, we would be very pleased to hear that answer.

Madam Speaker: Order, please. I would remind the honourable member for Thompson that I get lectures from all members of the House on occasion.

* * *

Madam Speaker: The honourable Minister of Education, to have 30 seconds to complete her response.

Mrs. McIntosh: We value teachers very highly. I am a teacher myself. My friends are teachers. I say to you, Madam Speaker, that a system needs to be whole and complete in its entirety and when the system is whole and complete in its entirety, then all parts of that system benefit much and when the system is not whole and complete in its entirety, all parts of the system ultimately suffer. I do not want that for any part of the system.

Madam Speaker: Time for Oral Questions has expired.

Speaker's Rulings

Madam Speaker: I have two rulings for the House.

The honourable member for Inkster (Mr. Lamoureux), on May 13, raised a matter of privilege and moved "that this matter be taken into consideration by the Speaker and report back to the House."

In speaking to the matter of privilege the honourable member for Inkster quoted a portion of page 74 of the Manitoba rules, and I quote: "Wilful disobedience to orders and rules of Parliament in the exercise of its constitutional functions, insults and obstructions during debate are breaches of the privileges of the House."

He also referenced a portion of Citation 1 from Beauchesne, in particular that among the principles of Canadian parliamentary law are the principles of securing the transaction of public business in an orderly manner and of enabling every member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time.

My understanding of the basis of the member's matter of privilege was that the moving of a motion to adjourn the House during Question Period and the ensuing challenge to the Speaker's ruling the motion out of order and the resulting ringing of division bells for a period of time, was a breach of the privileges of the House.

Joseph Maingot, in his book *Parliamentary Privilege in Canada*, on page 13 says that allegations of a breach of privilege by a member which amount to complaints about procedure and practices in the House are by their very nature matters of order.

Questions of order are not generally considered to be matters of privilege. However, our provisional Rule 16 indicates that persistent and wilful obstruction of the House could lead to a member being named by the Speaker. I do not believe the honourable member for Inkster has made a case that the honourable member for Thompson (Mr. Ashton) moved the adjournment motion and called for the ringing of the bells in a manner which could be construed as a wilful disobedience of the rules of this House, nor was it in a repetitive or persistent manner.

* (1430)

A matter of privilege regarding bell ringing was dealt with by Speaker Walding in February of 1984. I would like to quote from that ruling where he stated: "Since our rules and precedents have not been disobeyed, it is difficult to argue a matter of privilege on these grounds. . . . Thus the use of the rules cannot be considered a matter of privilege, but the abuse of the rules may be."

In my estimation, as I indicated earlier, I am not of the opinion that the rules were abused by the honourable member for Thompson (Mr. Ashton). Therefore I must rule that the honourable member for Inkster (Mr. Lamoureux) has failed to establish a prima facie case, and accordingly I rule his motion out of order.

* * *

On May 14, 1996, the opposition House leader raised a point of order about words spoken by the honourable Minister of Education (Mrs. McIntosh), both from her seat and on the record. In order to check Hansard and to listen to the audiotapes of the House proceedings, I took the matter under advisement.

Hansard shows that the Minister of Education said, "The member implied that bombs and slashed tires are not real. They are real. We experienced them in our own household."

I must inform the House that while listening to the tapes, due to the extreme disorder it was difficult to hear who said what. I realize that in this Chamber individual members may often hear comments made by other members that are not audible enough on the tape to be printed by Hansard. Procedurally, the Speaker must use the official Hansard record.

Based on what appears in Hansard and what I was able to hear on the tapes, I am ruling there was no point of order.

MEMBERS' STATEMENTS

Manitoba School Science Symposium

Mr. Edward Helwer (Gimli): It gives me great pleasure today to rise and inform all members present about a young constituent of mine, Shane Niemez.

To put it mildly, Shane is a 15-year-old science whiz who is currently enrolled in Grade 9 at Stonewall Collegiate. His science project, which looked into the phenomena of toonies popping their centres, has received a great deal of praise and some controversy. What Shane discovered in his experiments was that the new \$2 coins have hairline cracks that may result in the centres coming out. Using a black light and fluorescent penetrant that Boeing Canada uses to test aircraft templates, this young man was able to illuminate cracks in the seams of the coins about one-tenth of a width of human hair. Shane then had micrograph photographs, blown up 100 times, made of the results. His science project sampled 18 coins, of which 10, or 56 percent, displayed these cracks.

As a result of his experiment, Shane won a gold medal at the Manitoba School Science Symposium as well as second place from the American Society for Metals. However, not everyone appears to be impressed by Shane's project, specifically the Royal Canadian Mint, which questions the validity of his research and discounts his results. I would therefore like to encourage the Mint, instead of dismissing this ingenious young man's work, to review it, duplicate it and, most of all, acknowledge his work to ensure improvements are made in future coins.

So I want to congratulate Shane, and I would like to extend to him my best wishes in his future science projects. I hope he continues to challenge those who would dismiss him. His achievements are a testament to his family, his education, his community and, most of all, to all of us. Thank you.

Education System Funding—Rural Manitoba

Mr. Clif Evans (Interlake): Madam Speaker, as a rural member, I have seen first-hand how the priorities of this government have affected the quality and potential of our education system for rural Manitobans. Many public schools in the Interlake do not have some of the luxuries of equipment and services that we see are so present in some of the elite private schools in Winnipeg that are being overfunded by this government.

The province has deliberately embarked on a program of reducing funding to public schools by over \$40 million while boosting the funding to private schools. One

private school in Winnipeg now receives over \$1 million a year from provincial taxpayers. Along with this, they have been equipped with a Zamboni.

However, for rural communities facing this government's school tax hikes, layoffs of school teachers and staff, and shortages of equipment, along with reductions in courses, have affected many in rural Manitoba.

Madam Speaker, home economics and industrial arts, to name two, are courses that are in jeopardy in many schools across rural Manitoba. Distance education is not just a concept in the Interlake constituency. It is a right, and it is the future. For distance ed to work, the province must take a positive leadership role. Sadly, there is little evidence that this government has that commitment.

Public school funding should be predictable and stable in order to allow school divisions and parents to plan for the future. The current government has no more commitment to public education in rural Manitoba than it has to keeping other promises on Pharmacare, rural health care, using public funds for political advertising, or a host of other promises that this government has broken.

The provincial budget this year was a series of broken promises on these and other issues. Public education and our children have become a victim of the misplaced priorities of this government, which clearly either does not understand or care about the future of education and our young people in rural Manitoba. Thank you, Madam Speaker.

Citizens Against Impaired Driving Victim Services

Mr. Frank Pitura (Morris): It was my pleasure to be invited and to attend a very special dinner last night, May 22, 1996. The dinner was hosted by the organization known as Citizens Against Impaired Driving, or CAID. CAID was founded in 1981, and it is an organization comprised of Manitobans who share a common concern about drinking and driving, as well as victims and family members of victims of drunk drivers.

For the last 15 years, CAID has worked in co-operation with law enforcement officers and governmental agencies

to bring about amendments to the Criminal Code for drunk drivers and to raise public awareness of the tremendous cost to our society that is meted out by those who drive while under the influence of alcohol.

Those of us who attended the dinner saw the effects that alcohol consumption can have when individuals take the liberty of getting behind the wheel when they are in no state to do so. Unfortunately, the price paid for this decision is often innocent people who have either been hurt or maimed or, regrettably, killed in alcohol-related accidents.

Fittingly, the dinner was held at the RCMP building on Portage Avenue, and it is these law enforcement officers who unfortunately must be among those who see the carnage wrought by thoughtless drunken drivers.

CAID has taken a proactive approach to dealing with this problem. CAID has organized victim services so that those affected have a resource centre to go to, a resource centre headed up by an individual who himself lost a spouse to an impaired driver. In addition, CAID raises funds to promote its efforts by means of annual golf tournaments, brunches and they also receive grant funding from the provincial Victims Assistance Committee and private contributions from families and friends victimized by impaired drivers.

The mission statement at CAID is to reduce the incidents of impaired driving and to provide education and emotional support to victims of impaired drivers in Manitoba. I was moved by what I saw last night and I ask that all members of this House support the mission statement of Citizens Against Impaired Driving. Thank you.

Teaching Profession Collective Bargaining

Mr. Kevin Lamoureux (Inkster): Madam Speaker, I wanted to add comment as a follow-up from Question Period with the document that was introduced by this government entitled The Report of the Teacher Collective Bargaining and Compensation Review Committee.

That document does cause great concern ultimately not only to teachers but to a great deal of Manitobans because of the impact that this document is going to have

on all of us. In particular, I would recommend that individuals read page 10 and page 11, where in essence the whole free bargaining or the whole manner in which, I should say, arbitration works for teachers' agreements from the past, which have worked relatively well, is being taken apart. If you read through it people will begin to understand why it is that so many people are upset with the government of the day.

* (1440)

What I wanted to comment on in addition to that was just the general treatment this government offers different individuals who work for the government in one capacity or another or a school division, and that is something which we take great exception to. It is based on confrontation as opposed to co-operation and consensus building. It appears to be more of a vindictive-type attitude. There has been, whether it is the home care service workers, or other health care workers, to teachers, we find that this government has an approach based on confrontation.

The bottom line of course is that we have found this government has been very lacking on public education and financing of education, as pointed out by our critic for Education. From 14.5 percent of the budget in '88, to 13.9 percent for 1995, it is an absolute disgrace the way in which this government treats its public education. Thank you, Madam Speaker.

CBC Labour Dispute

Ms. Diane McGifford (Osborne): Madam Speaker, 1996 marks the CBC's 60th anniversary as Canada's national public broadcaster. As a Canadian voice and presence on North America's airwaves and as a common electronic link for Canadians from coast to coast to coast, the CBC, both radio and television, have played a profound role in the development of Canadian culture and identity and is itself a Canadian institution.

Historically, its willingness to tackle all issues, including thorny controversial ones has earned the respect of Canadians and many Americans who regularly tune in to Sunday Morning, As It Happens or Ideas. These are merely examples, but CBC's 60th anniversary may be marred. About 7,000 workers, reporters, researchers,

writers, administrators, clerical and support staff and security and technical staff have voted to strike on May 23, at 11:59 p.m., at midnight tonight.

The key issue is one we in Manitoba are familiar with and which we will no doubt learn more about—contracting out and at the same time laying off in-house staff. These practices are thinly veiled attempts to break worker and union solidarity. Behind this crisis lurks years of cutbacks first by Mulroney's Tories and then by Chretien's Liberals, urged on by the Reform Party.

Friends of Canadian broadcasting have put it succinctly. In a recent Globe and Mail ad we read, quote: these guys, Manning and Chretien are fighting over who can cut CBC the deepest. Reform's 1993 election promised cuts of \$365 million. The Liberal 1996 budget and main Estimates cut \$377 million from the CBC. By breaking a promise, Mr. Chretien has won round one. The losers, yes, are the workers but, even more, Canadian identity and culture and, most of all, Canadian people stand to lose intelligent broadcasting from sea to sea. Thank you, Madam Speaker.

ORDERS OF THE DAY

Hon. Jim Ernst (Government House Leader): Madam Speaker, as indicated yesterday, we will be considering second reading of bills this afternoon. For second reading, would you please call Bill 27, followed by Bill 17, Bill 18 and then Bill 12, and I will call further bills later.

SECOND READINGS

Bill 27—The Museum of Man and Nature Amendment and Consequential Amendments Act

Hon. Harold Gilleshammer (Minister of Culture, Heritage and Citizenship): Madam Speaker, I move, seconded by the Minister of Labour (Mr. Toews), that Bill 27, The Museum of Man and Nature Amendment and Consequential Amendments Act (Loi modifiant la Loi sur le Musée de l'Homme et de la Nature et apportant des modifications corrélatives), be now read a second time and be referred to a committee of the House.

Motion presented.

Mr. Gilleshammer: Madam Speaker, it is my pleasure to present to this House for consideration Bill 27, The Museum of Man and Nature Amendment and Consequential Amendments Act.

The Museum of Man and Nature has been a valued community institution for over a quarter century and is one of the finest facilities of its kind to be found anywhere. We are very proud of its accomplishments and its reputation for excellence. The proposal I am submitting to the House today will serve two purposes. First, it will enable the museum to officially change its corporate name to the Manitoba Museum; second, it will establish a new foundation to manage financial assets given as donations from the private sector.

It has been suggested many times, both by the museum, by members of the community, that this institution should have a less cumbersome gender-neutral name which is more readily translated into French. It should be noted that the Manitoba Museum will be the corporate name of our flagship museum. A search is underway to find a popular name and logo. This proposed amendment will also permit the establishment of a foundation which is separate and independent from the museum. This new entity would replace the existing foundation and all current assets would be transferred to the new foundation.

The second part of the amendment is being proposed in response to concerns expressed by the current foundation and donors. These concerns are based on the fact that because there is no legal separation between the foundation and the museum, legacy donations could be absorbed into the operating budget to cover shortfalls.

Madam Speaker, this would be a great disservice to the generosity of the many donors who make legacy contributions to the museum with the understanding they will go to specific purposes. Placing these assets under the control of a separate foundation would protect them from being used for anything other than their intended use.

This independent foundation would be similar to those established elsewhere in the community, for instance, the Winnipeg Art Gallery and the Ukrainian Cultural and Educational Centre. We believe these amendments reflect the will of the museum and the community. I ask

the honourable members of this House to consider and support this legislation. Thank you.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be adjourned.

Motion agreed to.

* (1450)

Bill 17—The Government Essential Services Act

Hon. Vic Toews (Minister of Labour): Madam Speaker, I move, seconded by the Minister of Culture, Heritage and Citizenship (Mr. Gilleshammer), that Bill 17, The Government Essential Services Act (Loi sur les services gouvernementaux essentiels), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Toews: Madam Speaker, today I am announcing my intention to introduce legislation which is aimed at protecting and ensuring those vital services that the people of Manitoba have a right to expect will always be there regardless if there is a strike. The proposed legislation will ensure that key services are provided to protect people, that services which are necessary in emergency situations are available and that services essential to protecting the environment or property of the province are in place.

As members are aware, the leadership of the Manitoba Government Employees' Union recently conducted a province-wide strike vote. Fortunately for Manitobans, public servants voted not to withdraw services. For that decision I wish to commend all of those who chose to put Manitoba first and continue to provide those services that will benefit all Manitobans. I say fortunately because the negotiators for MGEU did not respond to repeated requests that they provide essential services in the event of a strike. Madam Speaker, we believe now is the best time to bring in this type of legislation so that in the event of a strike, most essential services are not put at risk.

The strike by home care attendants represented by the MGEU is an example of why this legislation is required

at this time. Despite repeated attempts by government to negotiate an appropriate essential services agreement, the MGEU held fast in its position that it was only prepared to enter into an agreement to provide services to those individuals that have less than six months to live. I believe that is unacceptable to all Manitobans. The union was not prepared to provide services to many vulnerable individuals who require significant support. These are people with debilitating illnesses such as Alzheimer's, severe arthritis or Parkinson's disease. Not only was the health and quality of life of these individuals put in jeopardy, so was the health of their families and other caregivers.

This act will allow individuals who are in the most vulnerable positions, such as home care clients, to receive the essential services they require. This level of service will not undermine the effectiveness of the strike as a tool for the union in efforts to represent its members. For example, union leaders in Ontario deemed the recent civil service strike there to have been a success, despite approximately 18 percent of the civil service having continued to work in accordance with Ontario's essential services legislation.

Any strike by the union will still severely impact Manitobans. What this legislation will ensure is that people will not be put in jeopardy because of a labour dispute. The legislation defines four categories of essential services that are identical to those defined in legislation passed by the previous Ontario government in 1993.

They are danger to life, health or safety, destruction or serious deterioration of machinery, equipment or premises, serious environmental damage and disruption of the administration of the courts or of legislative drafting.

In order to be as clear as possible as to the type of services that are essential, we will be attaching a schedule of essential services listed by each department. However, as it is not possible to determine in advance all situations which will require essential services, there is a mechanism for designating additional services if a significant need arises.

While the act sets out the services deemed essential, the number of employees required to deliver those services

will be determined by the employer. However, there will be an appeal mechanism whereby the union can appeal to the Manitoba Labour Board to have the number of employees adjusted if they believe the service can be maintained using fewer employees.

The act also provides flexibility to adjust the number of essential-service employees if circumstances warrant. For example, while 30 employees may originally be required for flood control, a substantial rainfall could raise that number virtually overnight to several hundred. Once the crisis is over, the minimum level may revert back to 30 for the duration of the flood period.

Madam Speaker, this legislation is intended to balance the right of Manitobans to be assured that central services are not jeopardized with the ability of employees to exercise the right to withdraw services in accordance with the laws of Manitoba. The situation in home care has clearly demonstrated why this legislation is required.

Government services are very different from the manufacturing of cars, the mining of minerals or other private endeavours where strikes may occur. While individuals and even communities may be affected if a plant stops producing cars, no one's life is put at risk, the environment is not threatened and the safety and security of society is not put in jeopardy. That is why this type of legislation is common in jurisdictions where public servants have the right to strike.

During the strike, Manitobans made it clear to us that, irrespective of their views on the initiative to contract some home care services, they wanted the most vulnerable clients protected. This legislation will ensure that happens. It will also ensure that in the future other essential services will not be jeopardized.

All parties will know the standards that will be in place before a strike vote is taken and the appeal process will not allow any government to be unreasonable in its designation of employees as essential. Thank you.

Ms. Becky Barrett (Wellington): Madam Speaker, I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be adjourned.

Motion agreed to.

Bill 18—The Payment of Wages Amendment Act

Hon. Vic Toews (Minister of Labour): I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Ernst), that Bill 18, The Payment of Wages Amendment Act (Loi modifiant la Loi sur le paiement des salaires), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Toews: I am pleased to introduce Bill 18 which proposes to amend The Payment of Wages Act.

In 1991, the act was amended to enable the making of regulations to designate other Canadian jurisdictions as reciprocating provinces for purposes of enforcing each other's payment of wages orders. Since 1991, designations allowing for reciprocal enforcement have been made with respect to the following jurisdictions: British Columbia, Alberta, Saskatchewan, Northwest Territories, Yukon and Nova Scotia. Steps are now being taken to designate Ontario as a reciprocating jurisdiction. As well, following meetings with the Commissioner of Labour for North Dakota, it was agreed that it would be mutually beneficial if arrangements could be made to enforce each other's payments of wages order.

At present, the provisions of The Payment of Wages Act allows for designating only other Canadian jurisdictions for reciprocal enforcement purposes. For Manitoba to be able to enter into a reciprocal enforcement arrangement with a jurisdiction outside of Canada, it is necessary to amend the act as is being proposed. With the amendment to the act and a subsequent regulation designating North Dakota as a reciprocating jurisdiction, this would enable Manitoba's Employment Standards branch to enforce in Manitoba payment of wages orders made by authorities in North Dakota. Conversely, Manitoba payment of wages orders could be enforced in North Dakota by authorities in that jurisdiction. Thank you.

Ms. Becky Barrett (Wellington): Madam Speaker, I move, seconded by the member for Broadway (Mr. Santos), that debate be adjourned.

Motion agreed to.

* (1500)

Bill 12—The Barbers Repeal and Hairdressers Repeal Act

Hon. Linda McIntosh (Minister of Education and Training): I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Ernst), that Bill 12, The Barbers Repeal and Hairdressers Repeal Act; Loi abrogeant la Loi sur les coiffeurs et la Loi sur les coiffeurs pour dames, be now read a second time and be referred to a committee of this House.

Motion presented.

Mrs. McIntosh: Madam Speaker, in speaking to this act, I am pleased to offer for the benefit of the members of this House a very brief explanation of this bill.

Presently, in the practice of hairdressing, practice in the hairdressing, beauty treatment, and manicurist trades is governed in Winnipeg and in Brandon by The Hairdressers Act and regulation. We regulate the barbers in all of Manitoba under The Barbers Act and regulation.

These acts and regulations require that individuals be licensed to practice in the applicable geographic area. Licences are issued to individuals who successfully complete an in-school program and pass written and practical examinations as prescribed by the board of examiners set out in each of these acts.

Industry has approached my department seeking a different, simpler and more consistent regulatory structure. Industry is seeking greater quality assurance around the competencies of individuals practising in these trades.

Presently there is not congruity in the way these trades are regulated. For example, an individual has to be licensed to practice in the city of Winnipeg. Immediately outside the city of Winnipeg, there is no requirement for credentials of any kind. So there is not consistency of approach in the way in which this occupation and trade is considered.

We are convinced that the needs of Manitobans, the needs of Manitoba industry and, most importantly, the consumers can better be served by bringing these occupations into regulation under The Apprenticeship

and Trades Qualifications Act. My staff are working with industry representatives right now to draft out regulations for new apprenticeship trades of hair stylist and esthetician.

We have had trade advisory committees established for each of these occupational areas. These advisory committees are valuable linkages between my department and employers and practitioners in the trades. These communities are comprised of individuals from a wide cross section of each occupation. By their breadth of membership, these committees bring us the widest possible perspective of issues and concerns in the occupations. They also connect us to what industry views as solutions to these issues.

This bill then, Madam Speaker, is to rescind the existing Barbers Act and the existing Hairdressers Act and the regulation associated with each of these acts. These instruments are to be withdrawn coincident with proclamation of the new hairstyles and esthetician regulations under The Apprenticeship and Trades Qualifications Act. This step alone will greatly simplify regulation in these occupations. Two acts and two regulations will be replaced by two regulations.

Madam Speaker, I have mentioned that my staff are currently working with industry on the development of two new regulations. Great care and consideration is being placed on the development of these regulations. These regulations are going to require that individuals be certified to practise anywhere in the province of Manitoba. This will require people currently practising in unlicensed areas with no licensing requirement to become certified in order to continue in the trade. Industry representatives are working with us to develop a formula to allow these individuals to have certification issued to these existing practitioners. We are being very careful not to displace or unduly inconvenience anyone currently legally practising in the province.

The proposed apprenticeship regulations will provide for the addition of on-the-job training for individuals seeking entry into these trades. These will help ensure that new entrants are trained to the standards needed by industry and demanded and expected by consumers.

Madam Speaker, I believe this brief explanation covers the key aspects of this bill, given the industry's strong

desire to see these trades restructured under The Apprenticeship and Trades Qualifications Act. I would look and hope for support from my colleagues in the opposition so that we can honour these tradespeople's request. I hope they would not be obstructive in that regard and not oppose this simply for the sake of opposing. These are tradespeople whom we value highly in the province and who form a significant part of our economy.

I would ask the opposition not to obstruct passage of this bill on principle and to support those coming under The Apprenticeship and Trades Qualifications Act, not just to vote against it on principle but maybe actually consider supporting it, because I do think it does help these tradespeople. I do not want to see them be caught not wholly supported by the members of this House.

Nonetheless, Madam Speaker, this is what we support and we also look forward to working with our partners in industry in developing these new apprenticeship trades. Thank you.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Wellington (Ms. Barrett), that debate be adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Would you call for second reading, please, of Bills 2, 3, 4, 19 and 34.

Bill 2—The Municipal Assessment Amendment and Assessment Validation Act

Hon. Leonard Derkach (Minister of Rural Development): I move, seconded by the Minister of Highways and Transportation (Mr. Findlay), that Bill 2, The Municipal Assessment Amendment and Assessment Validation Act (Loi modifiant la Loi sur l'évaluation municipale et validant certaines évaluations), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Derkach: Madam Speaker, I would like to make a few comments regarding this bill. In introducing this bill

for second reading, the intent is to amend a portion of The Municipal Assessment Act relating to the evaluation of gas distribution systems in the province. The bill is designed to formalize evaluation methodology that has been in place for many years but has never been entrenched in legislation.

Madam Speaker, here I refer to the cost approach in assessing the value of gas distribution systems. The cost approach method we use simply means we assess the cost of installation including labour and material of the pipes in the ground, regulating equipment and meters that make up the system, to come up with a value for tax assessment purposes. The cost approach is fair and equitable in that it is the same methodology applied to value pipelines, railways and other major industrial properties for assessment purposes. Costs of installation, material and labour that form the basis of the assessment were agreed to through a consultation process with the gas distribution industry. In addition, the cost approach is used in almost all other jurisdictions across this country.

Madam Speaker, I cannot emphasize enough that, one, the assessment methodology had been agreed to, and, two, that the assessment methodology is consistently used and widely accepted.

The income approach to value as put forth by the gas distribution company as a method of evaluation is a technique to value the systems based upon revenues generated through the sale of product. The income approach is intended to measure a property's worth from revenue generated by the property, not from revenue generated from the sale of product.

Madam Speaker, more importantly, in bringing forward this amendment, we are providing economic stability and some degree of certainty to the municipalities throughout this province. If the assessment was reduced to the level suggested by the gas distribution system, all ratepayers in the province would be impacted by the tax refunds on gas properties. Assessments on gas distribution systems, as with assessments on railways and pipelines, provide municipalities with tax revenues which they in turn use to deliver services to Manitobans. Municipalities should be able to know, with some degree of certainty, their total revenue from this assessment and taxation.

* (1510)

Again, Madam Speaker, I would like to emphasize that by introducing Bill 2 for second reading, we are hoping to stabilize revenues to municipalities which they have come to rely upon in the delivery of services to Manitobans, and we hope to clarify through legislation a methodology that is widely used and accepted for assessing the value of gas distribution systems in this province. Thank you very much.

Ms. Becky Barrett (Wellington): Madam Speaker, I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be adjourned.

Motion agreed to.

Bill 3—The Surface Rights Amendment Act

Hon. Leonard Derkach (Minister of Rural Development): Madam Speaker, I move, seconded by the Minister of Environment (Mr. Cummings), that Bill 3, The Surface Rights Amendment Act (Loi modifiant la Loi sur les droits de surface), be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Derkach: Madam Speaker, I would like, in introducing this bill for second reading today, to explain that this bill is designed to ensure the timeliness in which lessees will be able to access the unused private lease properties.

The Surface Rights Act specifically relates or speaks to the relationship between oil producers and landowners and when producers may have access to the use of private properties for drilling of well sites. The act currently calls for a mandatory 72-hour waiting period before any activity can occur following the signing of a lease. The amendment we are proposing would, in fact, allow the landowner to waive the required waiting period, so that a drilling company can commence immediately.

Madam Speaker, there appears to be a great deal of support for this amendment. The Surface Rights Board recommends approval of this amendment, and the amendment is also a priority with the Canadian Association of Petroleum Producers, who say that a 72-hour waiting period ends up being a very costly delay to them. Drilling equipment and personnel may have to

wait for up to three days even though the landowner is satisfied that drilling can begin immediately.

Madam Speaker, elsewhere, neither in Alberta nor in British Columbia, in those two jurisdictions, there is no waiting period. In Saskatchewan we have a waiting period, but it can be waived in the same manner that this amendment would allow for in Manitoba.

What this amendment does is place the onus and the responsibility squarely on the landowner. If the landowner so desires, the 72-hour waiting period will continue to apply. However, if there is a willingness and a desire to waive the waiting period, the landowner can do so. By supporting this type of change, we wanted to make our legislation user friendly and responsive to the needs of those it was established to serve. Thank you very much.

Ms. Becky Barrett (Wellington): Madam Speaker, I move, seconded by the member for Transcona (Mr. Reid), that debate be adjourned.

Motion agreed to.

Bill 4—The Manitoba Public Insurance Corporation Amendment Act

Hon. Glen Cummings (Minister charged with the administration of The Manitoba Public Insurance Corporation Act): I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 4, The Manitoba Public Insurance Corporation Amendment Act (Loi modifiant la Loi sur la Société d'assurance publique du Manitoba), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Cummings: There are two parts to this bill, both of them quite simple. In the repeal of Section 158(3), this is being done at the request of an agreement of the public trustee and the Attorney-General's department that removes the ability of the corporation, in reference to benefits due to infants or other persons who have a committee appointed on their behalf or any other person who, in the opinion of the corporation, is best qualified to administer the funds. There was some concern that this section not only served no purpose but might

possibly mislead members of the public, and we believe it is appropriate to withdraw it.

The next amendment, in principle, is intended to make PIPP, the Personal Injury Protection Plan, as the primary insurer in cases where we are looking at CPP benefits and UIC, and those benefits, up until now, have been reduced accordingly. The corporation now understands this provision may have the effect of disintitling some employers of a reduction as a result of longstanding issues around these UIC premiums, and therefore we recommend this amendment to clarify and to improve the ability to provide benefits to those who might wish to claim under a personal injury protection plan.

Mr. Conrad Santos (Broadway): I move, seconded by the member for Wellington (Ms. Barrett), that debate be adjourned.

Motion agreed to.

Bill 19—The Dangerous Goods Handling and Transportation Amendment Act

Hon. Glen Cummings (Minister of Environment): Madam Speaker, I move, seconded by the Minister of Rural Development (Mr. Derkach), that Bill 19, The Dangerous Goods Handling and Transportation Amendment Act (Loi modifiant la Loi sur la manutention et le transport des marchandises dangereuses), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Cummings: Again, the amendments that are contained in this bill are generally of a housekeeping nature and generally of a minor nature, but they are important to ensure the continued effectiveness of the enforcement of this act. Several of the amendments simply correct typographical errors for drafting oversights and I would reference Sections 3, 4 and 5. Other sections of the bill deal with more substantive matters, all relatively minor I believe, but Section 2 of the bill clarifies the requirements for approval of hazardous waste disposal facilities.

Without this amendment the act requires all hazardous waste disposal facilities to undergo public hearings. That

means that even the smallest of such facilities would be required to undergo public hearings. For example, an autobody shop which accepts oil from the garage down the road, this is classified as a hazardous waste disposal facility.

Perhaps in some cases, depending on location and quantity of oil received, it will be required to be licensed, but that each operation should be required to undergo public hearings at taxpayers' expense of probably \$5,000 per day seems to me it is inappropriate for such very low-risk activities. The amendment will provide for discretion as to which of those hazardous waste disposal facilities will undergo complete environment assessment based on factors that will be clear, such as size, location, potential risk.

The licensing process under The Environment Act will continue to be used and the decisions will continue to flow from whether or not it is a Class 1 or 2 assessment that it falls under appropriately.

Section 6 adds a lengthened limitation period for commencement of prosecutions under the act, identical to the limitation period provided for under The Environment Act. Without this provision the limitation period contained in The Summary Convictions Act will apply, which is six months from the date of occurrence. There are two problems obviously. Many of these environmental offences often are not brought to the attention to the department or to anyone else's attention until after that period may well have passed, and, secondly, the technical investigation and lab analysis required to prove under this act may often take several months of work. The amendment will eliminate those two problems. There will now be 12 months from the date of the offence or receiving knowledge of the offence.

There is one section to add three new regulating-making powers, will allow the department to make regulations to levy fees for licenses and approvals of services. Where this is done it will be implemented on a user-pay approach. It will allow the department to make regulations governing special wastes where these wastes do not present the same degree of risk as hazardous waste but which require more care in their handling and disposal than conventional waste streams. Special wastes could include oil, asbestos and those types of

materials, or those types of situations that could accrue around them.

There is also an amendment to allow the storage of petroleum products to be moved from The Environment Act to this act, which allows for more appropriate administration. Section 8 of the bill provides provisions to allow licences or permits issued under The Environment Act to be transferred to persons who acquire control of an operation. Without this amendment only orders can be easily transferred to the subsequent owners.

These amendments are carefully worded to ensure that the transfer of a license or permit is done with full regard to environmental protection and a licence cannot be transferred without prior written approval of the Department of Environment. In appropriate cases this approval could be withheld temporarily or permanently. Secondly, where a transfer of license or permit is approved, the director can impose any terms or conditions upon the transfer to ensure environmental protection.

* (1520)

I believe each of these various amendments will serve to improve the effectiveness of the department's enforcement and, individually, they may be small, collectively, I believe that they appropriately make the ability of the department to protect the environment and to provide the appropriate enforcement much more possible.

Mr. Dave Chomiak (Kildonan): Madam Speaker, I move, seconded by the member for Broadway (Mr. Santos), that debate be now adjourned.

Motion agreed to.

Bill 34—The Contaminated Sites Remediation and Consequential Amendments Act

Hon. Glen Cummings (Minister of Environment): I move, seconded by the Minister of Highways (Mr. Findlay), that Bill No. 34, The Contaminated Sites Remediation and Consequential Amendments Act (Loi concernant l'assainissement des lieux contaminés et apportant des modifications corrélatives), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Cummings: Madam Speaker, this act represents the consensual work of a multi-stakeholder advisory committee based on principles for a harmonized national approach to the issue of dealing with remediation of contaminated sites. This approach was adopted by the Canadian Council of Ministers of the Environment about three years ago. There is a minimum of two years work on the part of a multi-stakeholder committee that spent a great deal of its individual resources to arrive at the recommendations that have led to the writing of this bill.

This act provides a comprehensive process for dealing with all aspects of contaminated sites including investigation, designation and remediation of contaminated sites. The issuance of certificates of compliance are also included within this act. When remediation has been satisfactorily completed the act is firmly based on the polluter-pay principle, with responsibility to be proportionate to the level of a person's contribution to the contamination.

Risk assessment is also an important component of the act with decisions relating to site designation, whether or not remediation is required and, if so, to what level, to be based on an assessment of risk to human health and to the environment.

While the main feature of this act is the establishment of a fair and equitable process for the apportionment of liability for the remediation of contaminated sites, in Manitoba and indeed across this country there are hundreds of sites where land has been contaminated by industrial or other commercial activities. In many cases the land ownership has changed hands, in some cases, changed hands several times over the years. It is often technically impossible to determine which of the past owners actually contaminated the land and to what degree.

To assess this difficulty, the act institutes an apportionment process that avoids the litigious joint-and-several liability system that is in effect in the United States and where up to 88 cents on the dollar goes to transaction fees and about 12 cents goes into the actual remediation of the site. This act encourages voluntary and mediated cost apportionment with a fallback to directed apportionment by the Clean Environment

Commission. It sets out the factors to be considered in the allocation of liability with strong emphasis on the polluter-pay principle.

The act also provides for the establishment of a registry of contaminated sites, notices on land titles and to municipalities to ensure appropriate public notice and information is available for land transactions. It provides a system of cost recovery for public money spent on remediation activities where there are responsible parties. It discourages defaulters by instituting a system of joint-and-several liability for recovery of defaulted amounts among all of the defaulters. It provides for certificates of compliance for remediated sites to provide comfort to landowners and prospective purchasers or their lenders. Those are key points in the reason for introduction of this act.

This act will further provide comfort to the financial community, as lenders will not be held responsible for the remediation of a contaminated site simply by virtue of the fact that they may have had money available invested in the operation. This in turn will assist business and individual landowners who until now may have experienced difficulty in obtaining a loan where their land is suspected of being contaminated.

There will be comfort to municipalities in that they will not be responsible for remediation of a site which they may have involuntarily acquired through tax sale. They will now be able to assess land for contamination prior to expropriation and be exempt from liability for remediation of existing contamination of lands expropriated for certain purposes. All of these refinements in our legal approach to such sites should help us to redevelop contaminated sites in Manitoba, many of which are now vacant and boarded up, instead of businesses looking to agricultural land or undeveloped land for expansion.

Madam Speaker, for those reasons, and for many others that would take longer to enumerate now than I believe I should take time for, this marks a significant step forward on how this province can deal with contaminated sites and make sure that those lands, those sites, are now remediated without undue risk to those who wish to reinvest in land that is now potentially lying idle and not being put to the best interests of the community, in many

cases, or to the economy of the province as a whole, and I recommend this bill to the House.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Broadway (Mr. Santos), that debate be adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Would you call Bills 5, 6, 23 and 24.

* (1530)

Bill 5—The Horticultural Society Repeal Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I move, seconded by the honourable Minister of Highways and Transportation (Mr. Findlay), that Bill 5, The Horticultural Society Repeal Act (Loi abrogeant la Loi sur les associations horticoles), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Enns: Madam Speaker, this is a very straightforward bill. I want to make it clear to honourable members that this bill is presented to the Chamber at the request and as a response to the horticultural society who have reorganized themselves, developed their own constitution and established an elected board of directors representing the regional groups of societies. It is a bill that is no longer required, redundant and I am pleased to move it forward into committee for repeal.

Ms. Becky Barrett (Wellington): I move, seconded by the member for Transcona (Mr. Reid), that debate be adjourned.

Motion agreed to.

Bill 6—The Veterinary Science Scholarship Fund Amendment Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Ernst), that Bill 6, The Veterinary Science Scholarship Fund Amendment Act

(Loi modifiant la Loi sur le Fonds des bourses d'études vétérinaires), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Enns: Madam Speaker, the objective of the legislation presented to the members and the parent legislation which we are amending by this method is of course to maintain accessibility to adequate veterinary services throughout the province by attracting sufficient numbers of new graduates, particularly to the rural areas where they are still in short supply.

What this act does is it enables us to make some relative housekeeping changes in the structure of the act that allows us to by regulation improve the inducement, if you like, to attract veterinary students. It may be known to some members that the government of Manitoba, through the Department of Education, supports the training of some 48 veterinary students at the Western College of Veterinary Medicine in Saskatoon.

We do this by an agreement, by which we further then supplement a special agreement that we sign with students who will receive some scholarship support if they, in fact, return to Manitoba and practise in Manitoba.

In the last number of years, however, the level of support is not in keeping with today's costs and our ability to attract ongoing numbers of students to maintain this flow of veterinarians to service our growing livestock industry is in jeopardy, and it is felt that these amendments are required to enable us to more adequately address that problem.

Madam Speaker, we further want to insert into the clause that if public support through scholarship is provided, we can tighten up the regulations that ensure that the graduating veterinarians do, in fact, practise in rural Manitoba, and there are specifics in the bill that enable us to do that.

Those who choose to practise elsewhere must pay back the scholarship support that is provided under this bill and is a provision in this bill that was not there before that would enable us to charge a reasonable amount of

interest on that account to further ensure that the purpose of the use of public funds in this manner is appropriate, that it is accomplishing what it is purported to do, that is, to attract young Manitobans and others to the practice of veterinary medicine in the aid and support of our livestock industry. I recommend it to the House. I will look forward to discussion on it at the committee stage.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Wellington (Ms. Barrett), that debate be adjourned.

Motion agreed to.

Bill 23—The GRIP and Related Programs Termination and Consequential Amendments Act

Hon. Harry Enns (Minister of Agriculture): Madam Speaker, I have the privilege to move that Bill 23, The GRIP and Related Programs Termination and Consequential Amendments Act (Loi abolissant le régime RARB et des régimes connexes et apportant des modifications corrélatives), be now read a second time and be referred to a committee of this House. This bill to be seconded by my friend and colleague the Minister of Urban Affairs (Mr. Reimer).

Motion presented.

Mr. Enns: Madam Speaker, again, this bill is virtually self-explanatory, but allow me to take this opportunity to put onto the record and to acknowledge the leadership shown by my colleague the then Minister of Agriculture, now the Minister of Highways and Transportation (Mr. Findlay), who, at a time when the grain industry was in serious difficulty with very low prices that seemed to go away until quite recently, quite frankly, this measure was introduced.

It was a national program, but I am fully aware of the fact, and the honourable member should be aware of the fact that it was the leadership exhibited by the then Minister of Agriculture, the Honourable Mr. Findlay, who was largely responsible for the formation of this national program and more specifically for its operation in the province of Manitoba, I say this modestly, but I have been supported in that when I travel across the country.

Nowhere did the program more adequately meet what it was designed for than in Manitoba, and I know that I can speak for many farmers who have benefited very significantly as a result of this program.

Furthermore, it is in my opinion a bit of a role model about how legislation should be treated. There was a need. A program was designed. It had a start and finish date to it. The commitment was made right at the start that this was going to be a five-year program. It is a five-year program. It ends without loose, untidy ends, in fact, with a modest surplus that will be redistributed in the manner that is prescribed under the conditions of the program, that is, the producers will receive a modest return, the province will receive a return, and the federal government, of course, as the other partner in the program, will receive a return.

For the benefit of those farm members who are familiar with the program, it would appear, although the final figures are not in until the end of the year, that the next surplus will be in the amount of \$63 million to \$65 million. When you consider that that program paid out very significant sums of money, particularly in the disastrous harvest year of '93, and the program only a year ago was in deficit to the tune of something like \$156 million, I believe.

It is, I think, a reasonable achievement to be commented on and to commend those who were in charge of the program, the Manitoba Crop Insurance Corporation and all its agents, and the farmers themselves who worked with this program. It was not the easiest program in terms of introducing it. It had its complicated features to it but, nonetheless, it was a highly successful agricultural support program.

* (1540)

It has been recommended to me by legal counsel that this formal termination of the program should be accomplished the way I am proposing, Madam Speaker, in other words by legislation, by introducing to the House to make it abundantly clear that this program has done its job, has serviced the farm community in a very adequate way, provided close to \$800 million worth of benefits during its five year course, and I can report with some satisfaction particularly to my finance people that we conclude this program in a modest surplus position, and

I commend all those who were involved in the carrying out, introduction and the operation of this program. I look forward to any further discussions at the committee stage.

Mr. Dave Chomiak (Kildonan): Madam Speaker, I move, seconded by the member for Broadway (Mr. Santos), that debate be now adjourned.

Motion agreed to.

Bill 24—The Agricultural Credit Corporation Amendment Act

Hon. Harry Enns (Minister of Agriculture): I move, seconded by my colleague the Minister of Environment (Mr. Cummings), that Bill 24, The Agricultural Credit Corporation Amendment Act; Loi modifiant la Loi sur la Société du crédit agricole, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Enns: Madam Speaker, the Manitoba Agricultural Credit Corporation continues to be an important and viable assist to a number of our primary producers throughout the province of Manitoba. It is specifically mandated to help the start-up farmer, the younger farmer, the farmer that is entering into primary production in its various facets in the province. These amendments that are being proposed in this bill broaden the scope of the corporation to include and to recognize the changing face of agriculture.

For instance, in the areas of loan support for livestock, the terminology has been broadened to include some of the nontraditional types of livestock that are now being raised on our farms, wild boar, for instance, or bison and, indeed, I would suspect, after this House after due deliberation passes another bill elk could be included in that definition.

In addition to that, a commitment was made during the last election, Madam Speaker, that has already been acted upon to use the corporation to help in the diversification of agriculture in the province, to help farmers in value-added different forms of agriculture, in some instances brought about by the loss of the Crow rate, where many producers are seriously looking at examining their

operations and wondering what other kinds of agriculture they should be getting into. Also, the nature of the kinds of operations that are being developed on the landscape is changing. The act, under the mandate of the current legislation, MACC, for instance, has had difficulty to be supportive of an agricultural group that was proposing a project in rural Manitoba that perhaps consisted of some nonfarmers in that group, perhaps a local businessman or local pharmacist or someone like that.

We are finding that, particularly in the livestock operations that are being developed, the larger hog operations, the larger cattle feedlot operations, very often it is not a single family operation. It will be two, three or four families that come together, and that is welcome. We welcome that from a point of view that it is required to bring together the pool of capital that is needed in these bigger operations, and the corporation, because of the way it was structured, was unable under appropriate circumstances to offer assistance if called upon. These amendments make it somewhat easier for the corporation to do that.

Again, I look forward to the discussion, particularly from the many, many members opposite who represent rural Manitoba, to take a hard look at some of the amendments that we are bringing forward, and recommend its speedy passage in this Legislature.

Mr. Dave Chomiak (Kildonan): Madam Speaker, I move, seconded by the member for Broadway (Mr. Santos), that debate be now adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Will you call Bills 7, 8, 9 and 10, please.

Bill 7—The Medical Amendment Act

Hon. James McCrae (Minister of Health): Madam Speaker, I move, seconded by the honourable Minister of Natural Resources (Mr. Driedger), that Bill 7, The Medical Amendment Act; Loi modifiant la Loi médicale, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. McCrae: The Medical Amendment Act proposes substantial amendments to the complaints and discipline provisions of The Medical Act to make them consistent with similar provisions recently enacted in The Dental Association Act and The Pharmaceutical Act. Among other things, this bill includes provisions to ensure that all committees of the College of Physicians and Surgeons of Manitoba that deal with complaints against physicians have at least one-third representation from the public.

Also, except for certain defined circumstances, formal inquiry hearings will be open to the public. These measures are intended to ensure enhanced public involvement in an open discipline process. As well, the college will have a broader range of possible sanctions for members whose conduct is found wanting. It will be given increased flexibility in determining the sanctions that are necessary to protect the public.

With this brief introduction, I move second reading of this bill. Thank you.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be adjourned.

Motion agreed to.

Bill 8—The Chiropractors Amendment Act

Hon. James McCrae (Minister of Health): Madam Speaker, I move, seconded by the Deputy Premier (Mr. Downey), that Bill 8, The Chiropractors Amendment Act (Loi modifiant la Loi sur les chiropractistes), be now read a second time and be referred to a committee of this House. [interjection] It is the foot bill. The member for Kildonan (Mr. Chomiak) is going to like this one.

Motion presented.

Mr. McCrae: Madam Speaker, Bill 8 amends The Chiropractors Act which was originally enacted in 1932 and has not been substantially changed since then. The bill will remove the prohibition against chiropractors injecting local anaesthetics into the foot, and will allow them to use such anaesthetics under controlled conditions.

I should add that these amendments were developed in consultation with the College of Physicians of Surgeons

of Manitoba and have been approved by the college. The Manitoba Association of Chiropractors, which is the regulatory body for the profession, will have the authority to make regulations concerning the conditions under which local anaesthetics can be injected into the foot and the training required for chiropractors to perform such injections. However, the regulations will require the approval of the Lieutenant-Governor-in-Council before they take effect.

Finally, the bill will also make some administrative amendments to The Chiropractors Act that are required because of changes that have taken place in the 64 years since the act came into force.

Ms. Becky Barrett (Wellington): I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be now adjourned.

Motion agreed to.

* (1550)

Introduction of Guests

Madam Speaker: I would like to draw the attention of all honourable members to the public gallery, where we have with us this afternoon 20 ESL adult students from Elmwood High School under the direction of Ms. Linda Curle. This school is located in the constituency of the honourable member for Elmwood (Mr. Maloway).

On behalf of all honourable members, I welcome you this afternoon.

Bill 9—The Public Health Amendment Act

Hon. James McCrae (Minister of Health): Madam Speaker, I move, seconded by the honourable Minister of Agriculture (Mr. Enns), that Bill 9, The Public Health Amendment Act (Loi modifiant la Loi sur la santé publique), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. McCrae: Madam Speaker, this bill will increase the maximum fine for a violation of The Public Health Act from \$500 to \$5,000 to help enforce the act. The current level of fine is too low. As was announced a few

days ago, we have increased fines for violation of many provincial offences to make people think twice before breaking the law. In addition, the bill will repeal a section that requires the written permission of the Minister of Health before prosecution is initiated. This amendment will make the act consistent with those in other jurisdictions.

Mr. Daryl Reid (Transcona): I move, seconded by the honourable member for Kildonan (Mr. Chomiak), that debate be adjourned.

Motion agreed to.

Bill 10—The Pharmaceutical Amendment Act

Hon. James McCrae (Minister of Health): Madam Speaker, I move, seconded by the honourable Minister of Natural Resources (Mr. Driedger), that Bill 10, The Pharmaceutical Amendment Act (Loi modifiant la Loi sur les pharmacies), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. McCrae: Madam Speaker, The Pharmaceutical Amendment Act transfers responsibility for two pharmaceutical regulation procedures from the Lieutenant-Governor-in-Council to the Minister of Health. Instead of the cabinet, the minister will be responsible for the formulary advisory committee and will have authority to make regulations governing the designation of interchangeable drugs.

For the information of the House, these amendments complement those made in 1994 to The Prescription Drugs Cost Assistance Act. That act transferred authority to designated drugs covered under the Pharmacare program to the Minister of Health from the Lieutenant-Governor-in-Council.

Ms. Becky Barrett (Wellington): I move, seconded by the member for Kildonan (Mr. Chomiak), that debate be now adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Would you call Bill 13, please.

Bill 13—The Highway Traffic Amendment (Lighting on Agricultural Equipment) Act

Hon. Glen Findlay (Minister of Highways and Transportation): Madam Speaker, I move, seconded by the Minister of Agriculture (Mr. Enns), that Bill 13, The Highway Traffic Amendment (Lighting on Agricultural Equipment) Act (Loi modifiant le Code de la route (éclairage de l'équipement agricole)), be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Findlay: Madam Speaker, I am pleased to introduce this bill to the House today which will put in place amendments to The Highway Traffic Act regarding lighting on agricultural equipment. The amendments contained in this bill arose out of recommendations made by a committee established to review the lighting requirements for agricultural equipment operating on Manitoba highways.

The committee was comprised of representatives from my department, the Department of Agriculture, the RCMP, Keystone Agricultural Producers, Prairie Implement Manufacturers Association, Prairie Agricultural Machinery Institute and the Canadian Standards Association and Technical Committee on Agricultural Equipment.

This committee was established following a very tragic accident involving a truck and a combine near Rosenort, Manitoba in the fall of 1994 where, very unfortunately, three teenagers lost their lives. There is no question that when this accident happened, significant errors were made by all parties involved, but, nonetheless, the accident was a result of lack of adequate lighting. Since that time there have been two more fatal traffic accidents involving agricultural equipment on Manitoba highways. It is clear that something needs to be done to increase the visibility of farm implements when they are on our highways.

The agricultural lighting committee reviewed lighting requirements in place in other Canadian jurisdictions and current manufacturing standards. Several options for increasing the safety in farm equipment on highways were also discussed. Most major farm equipment manufacturers conform to standard established by the American Society of Agricultural Engineers. This

standard was adopted by the Canadian Standards Association in April 1995. The primary difference between the new standard and the requirements of The Highway Traffic Act is the addition of extremity lighting and marketing.

This committee agreed that this standard should be established as the minimum requirement for lighting on new farm implements. It was recognized, however, that there would be a significant cost burden to the farm community if this standard were extended to existing equipment. To alleviate this problem the committee proposed that the new standard be adopted for existing equipment but with certain modifications.

The new lighting standards will be set out in a regulation under The Highway Traffic Act. In order to accomplish this, it is necessary to repeal the existing lighting requirements from the act and provide for a new regulation to be created.

A multifaceted public information campaign will also begin this spring and continue on until the fall of 1997. The purpose of the information campaign will be to alert motorists to the caution which needs to be exercised when encountering slow moving farm equipment on our highways, particularly in the spring and fall seasons and, secondly, to inform operators of farm equipment of the new regulations, which will call for increased lighting and marking of farm implements, particularly when travelling on highways at night or during hours of limited daylight.

In conclusion, I believe the new lighting standards will help improve the visibility of farm implements travelling on Manitoba highways and consequently improve road safety for all users on our provincial roads in Manitoba. I certainly look forward to further discussion of this particular bill with my colleagues when we get to the committee stage. Thank you, Madam Speaker.

Mr. Daryl Reid (Transcona): I move, seconded by the member for Wolseley (Ms. Friesen), that debate be adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Would you call Bills 14 and 15, please?

Bill 14—The Manitoba Trading Corporation Amendment Act

Hon. James Downey (Minister of Industry, Trade and Tourism): Madam Speaker, I move, seconded by the Minister of Agriculture (Mr. Enns), that Bill 14, The Manitoba Trading Corporation Amendment Act (Loi modifiant la Loi sur la Société commerciale du Manitoba), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Downey: Madam Speaker, I would like to at this time introduce for second reading the amendments to The Manitoba Trading Corporation Act.

As you know, the economic development strategy of this government has been based on a foundation of sound fiscal management. We have achieved a great deal over the last eight years, and we believe we have established a strong business environment, a strong business environment which allows Manitoba companies to not only succeed at home, but to be able to compete effectively around the world. Our strategy outlined in the Framework for Economic Growth was and is to build on this sound fiscal foundation by diversifying both the goods and services produced in this province and the markets into which they are sold.

We identified the Manitoba Trading Corporation as the vehicle for focusing our trade and investment activities. [interjection] Oh, you do not want to hear it.

* (1600)

Madam Speaker, over the last year and a half, staff from my department have been systematically developing the strategies and reorganizing the corporation so it is able to achieve our export and investment goals. It is clear that the name and objectives of the corporation need to be revised to better reflect the intended mandate and role.

The amendments I place before you are minimal but important and reflect the way we expect the corporation to carry out its responsibilities.

The first amendment is to change the name of the corporation from the Manitoba Trading Corporation to

the Manitoba Trade and Investment Corporation—very appropriate. The corporation will not only be active as a trader of goods and services, but will rather be a facilitator of trade and investment development for the province of Manitoba. The term “trading corporation” has specific meaning around the world and is misleading. The new name, therefore, better reflects the corporation's new mandate and role to encourage international trade and investment development.

The Manitoba Trade and Investment Corporation will be known in short form as Manitoba Trade. Manitoba Trade will be the focal point for international trade and investment for the province. It will provide services to the business community to meet the government's goals of increasing exports, accelerating markets, diversification and increasing the number of Manitoba exporters.

Manitoba Trade will encourage new exporters and export diversification by introducing companies to opportunities in foreign markets that they might not be able to access alone. In many countries such as Mexico and China, from where my friend the Minister of Agriculture (Mr. Enns) has just returned, an introduction by government or its agencies can open doors and provide companies with increased credibility. That is what my colleague the Minister of Agriculture did, increased the credibility and the trade activities between Manitoba and China.

I witnessed this myself on a recent trade mission to Mexico which was organized by Manitoba Trade. The feedback I received from the companies that were part of the mission confirms the appropriateness of the strategy. In addition to export development, we need a focal point within the government for investment promotion.

It is absolutely and perfectly clear trade and investment go hand in hand. In fact, it is becoming evident in the global economy that trade often follows investment. Over 30 percent of all international trade occurs within companies. Just listen to that, Madam Speaker. Over 30 percent of all international trade occurs within companies. We need to provide a consistent image and message about Manitoba as a place both to invest and to do business.

Therefore we have proposed amendments to The Manitoba Trading Corporation Act which clearly identify

the corporation's role in investment and development. This is emphasized in the amendment to the corporation's objectives which have been separated out for clarity.

Madam Speaker, as part of the revitalization process of Industry, Trade and Tourism, we have reorganized Manitoba Trade into three branches to be able to more effectively carry out its proposed role and responsibilities. Two geographic branches will be responsible for international business development, and one branch will provide services to support export development to promote investment in Manitoba. Internationally, the corporation will focus attention on five geographic regions and many others when called upon, the Americas, Asia-Pacific, Africa, Middle East, Europe and eastern Europe.

An Honourable Member: The universe.

Mr. Downey: That is right. The universe, Madam Speaker.

Our strategy is to pursue those markets which offer the best opportunities for Manitoba products and services. Manitoba Trade will help to match market opportunities with exportable products and services. Manitoba Trade will focus its activities on countries such as the United States, Japan, China, Mexico and others where research and market intelligence and the business community tell us there is a market growth and where our companies can compete.

Amendments will also make it clearer that Manitoba Trade can engage trade representatives to provide in-support to companies and missions in these priority areas. We have excellent results from agents in locations such as the U.K., Japan, and Manitoba Trade is gradually expanding its network of overseas agents. I can assure you again, my colleague the Minister of Agriculture assures me, that we are getting excellent service from those individuals who represent the people of Manitoba. I, through my own personal experience, can attest to that, as well.

The International Business Services branch will provide Manitoba businesses access to market information and intelligence and to export financing. Manitoba Trade manages the Trade Assistance Program and will help Manitoba firms to access federal and other

export financing institutions. While it is not planned to have the corporation directly provide loans or grants to businesses, an amendment has been proposed which would allow the corporation to assist in some ways should government decide that it was appropriate. Making this change now eliminates the need to introduce another amending bill for a single amendment at a later date. The services branch will also provide access to export training. As well, the branch will provide co-ordination for investment promotion.

Last summer, the province signed a Memorandum of Understanding with the federal government for greater co-operation in international business development in which the federal government acknowledges the role of Manitoba Trade as the focal point for trade and investment in Manitoba.

Because of this co-operation with the federal government and because many Manitoba companies have already formed successful links with businesses outside our province, we have proposed amendments to allow the corporation to provide its facilitator services to companies that are not Manitoba-based provided they are working in concert with Manitoba firms. This will allow Manitoba Trade to work with alliances such as Agri-Tec, a successful business network of agribusiness companies, primarily from Manitoba, but with members from other prairie provinces, as well.

Madam Speaker, there are a number of other amendments of an administrative nature that bring the act into line with recent legislation and which utilize inclusive language or provide the flexibility needed to address rapidly changing market opportunities. The proposed amendment to the act will make it more consistent with the activities that Manitoba Trade will be undertaking.

Madam Speaker, Manitoba exports are growing at historic rates. We need to give the Manitoba Trade and Investment Corporation the legislative authority it needs to help Manitoba companies maximize their international business opportunities. Investment leads to trade and export growth. Export growth means jobs for Manitobans, many more jobs for the people of Manitoba that help pay for the essential services that the public expect of the Province of Manitoba, whether it is health care, whether it is education, all those things that are demanded of government. That is why it is important to

have a successful trading corporation and successful companies in the international marketplace.

That is why, Madam Speaker, our Premier (Mr. Filmon), the Premier of Manitoba, has participated in two major trade missions outside with the federal government, through Team Canada. That is why this economy is outpacing any of those other provinces in the country. That is why this province is steamrolling ahead in the economy, and I would recommend that members of the opposition move very quickly to support this legislation so we can create more jobs and more wealth for the people of Manitoba.

Thank you, Madam Speaker.

Mr. Gregory Dewar (Selkirk): Madam Speaker, I move, seconded by the member for Osborne (Ms. McGifford) that debate be adjourned.

Motion agreed to.

* (1610)

Bill 15—The Tourism and Recreation Amendment Act

Hon. James Downey (Minister of Industry, Trade and Tourism): Madam Speaker, I move, seconded by the honourable Minister of Natural Resources (Mr. Driedger), that Bill 15, The Tourism and Recreation Amendment Act (Loi modifiant la Loi sur le tourisme et les loisirs), be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Downey: Madam Speaker, I will be somewhat brief, but my brief remarks in no way should reflect the importance of the industry and the intention of what we are trying to do with this act. Bill 15, the purpose of this bill is to amend some sections of the Manitoba Trading Corporation—sorry, these are the wrong notes. I used those the last time. Well, I will use them again anyway. I will just fill in between the lines.

Madam Speaker, the amendment to The Tourism and Recreation Act narrows the definition of transient accommodation facility to the category of lodge for the

purposes of requiring only resource-based accommodation facilities to be licensed. Nonresource-based facilities no longer require a transient accommodation licence. The licensing authority for lodges was transferred to the Department of Natural Resources. My friend Albert Driedger, the member for Steinbach, is now in charge of it.

What it is doing, in short form, is basically to try to streamline to make sure that the convenience of the customers for the tourism industry are well accommodated and that they are directed by the Department of Natural Resources, that the industry itself has a greater responsibility in the control and the standardization of the product that is available to the industry. It is not that we will not be without standards but it will be, I believe, somewhat less direct government involved. I think that is what the industry has asked for and it will to some degree accommodate what, in fact, the travelling public would expect from government.

So I now would like to take 40 minutes and talk a little bit more about the tourism industry in Manitoba and how important it is. [interjection] The member for Riel (Mr. Newman), who is always looking for support for some project in his constituency, makes derogatory comments—from St. Boniface (Mr. Gaudry). I apologize. The member for St. Boniface. He would like to be the member for Riel.

I would though say, and I say in all sincerity that the tourism industry in Manitoba has a tremendous opportunity to grow and expand. What this will do is to help assist in the development of that industry to, as many of us know, make sure that we fully maximize the industry for job creation, for wealth creation and for a better place to come and have a holiday in the province of Manitoba with all of its beautiful people, clear, clean skies, fantastic number of freshwater fishing lakes and of course services that are tremendously important to the travelling public.

I say again with all sincerity, for those young people in our society who are looking for a profession or a job opportunity, I would encourage them to look at the tourism industry, because I believe it has a tremendous growth potential, particularly with the activities that are on the horizon, with the Summer Games at Brandon we will be hosting this coming 1997, with the 1996 Summer

Games in Morden, Manitoba, and all of that whole region which will be part of that.

I also want to put on the record how important it is for Manitoba to be ready and prepared for the Pan American Games in 1999. I believe that will add a tremendous boon to this whole province and to the whole tourism industry. It will, again, plateau Manitoba as it relates to a place for people to come from all over the world to participate in what is a tremendous event.

I commend this bill to the House and would hope that the members of the opposition would see fit to have speedy passage of this bill so the tourism industry could catapult ahead in the way in which it should. Thank you very much.

Mr. Gregory Dewar (Selkirk): Madam Speaker, I move, seconded by the member for Wellington (Ms. Barrett), that debate be now adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Would you call Bills 11 and 25, please.

Bill 11—The Court of Queen's Bench Surrogate Practice Amendment Act

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): I move, seconded by the Minister of Natural Resources (Mr. Driedger), that Bill 11, The Court of Queen's Bench Surrogate Practice Amendment Act (Loi modifiant la Loi sur la pratique relative aux successions devant la Cour du Banc de la Reine), be now read a second time and be referred to a committee of this House.

Motion presented.

Mrs. Vodrey: Madam Speaker, this amendment will update the value under which deceased estates can be administered by administration order rather than by letters of administration. This change reflects inflationary increases in dollar values set in the legislation.

An administration order is granted by the Court of Queen's Bench pursuant to Section 47.(1) of The Court of Queen's Bench Surrogate Practice Act. It enables an

individual to administer a small estate in an expedited fashion without the need to post a bond or surety or maintain a formal grant of probate or administration. The order directs that the individual shall pay reasonable funeral expenses and debts of the deceased. The individual would be required to advertise for creditors to ascertain the estate debts. The order also directs that the balance of the estate shall be paid pursuant to the terms of the deceased's will, if there is one, or to the deceased's next of kin. It further directs that if there are no next of kin or if none can be conveniently located, the balance shall be paid to the consolidated fund. This allows the individual to finalize the administration of a small estate without the need to conduct an extensive search for heirs. Thank you.

Ms. Diane McGifford (Osborne): Madam Speaker, I move, seconded by the member for Wolseley (Ms. Friesen), that debate be now adjourned.

Motion agreed to.

Bill 25—The Jury Amendment Act

Hon. Rosemary Vodrey (Minister of Justice and Attorney General): Madam Speaker, I move, seconded by the honourable Minister of Urban Affairs (Mr. Reimer), that Bill 25, The Jury Amendment Act (Loi modifiant la Loi sur les jurés), be now read a second time and be referred to a committee of this House.

Motion presented.

Mrs. Vodrey: Madam Speaker, I am pleased to move to second reading The Jury Amendment Act. This act amends provisions in The Jury Act dealing with an employer's obligations to an employee summoned for jury duty.

Serving on a jury is an important duty of all citizens. It is critical to the effective functioning of our justice system that eligible citizens who are summoned for jury duty be permitted by their employers to fulfill their societal obligations.

Madam Speaker, this act amends current provisions relating to an employer's obligation to permit an employee to respond to a summons for jury duty. The amendments clarify that a leave of absence for jury duty

must be granted the moment a summons for jury duty is received by an employee. Failure to do so gives rise to a charge and a penalty under the act. As well, the act would allow the Provincial Court judge who is hearing the charge against the employer the discretion to award damages for loss of wages up to \$5,000 to an aggrieved employee when an employer is sentenced for breaching the statutory obligation.

This act would also eliminate the requirement that jurors' names be read aloud each day, in order to provide a measure of anonymity for jurors.

Madam Speaker, I will be pleased to go into greater detail on these amendments at committee. Thank you.

Ms. Diane McGifford (Osborne): Madam Speaker, I move, seconded by the member for Selkirk (Mr. Dewar), that debate be now adjourned.

Motion agreed to.

* (1620)

Hon. Jim Ernst (Government House Leader): Would you call Bill 16, please?

Bill 16—The Charleswood Bridge Facilitation Act

Hon. Jack Reimer (Minister of Urban Affairs): Madam Speaker, I move, seconded by the Minister of Consumer and Corporate Affairs (Mr. Ernst), that Bill 16, The Charleswood Bridge Facilitation Act (Loi facilitant l'application de l'entente sur le pont Charleswood), be now read a second time and referred to a committee of this House.

Motion presented.

Mr. Reimer: Madam Speaker, I am pleased to introduce for second reading Bill 16, The Charleswood Bridge Facilitation Act. The purpose of this bill is to facilitate implementation of the terms of the public-private partnership between the City of Winnipeg and D.B.F. Ltd. which built the Charleswood bridge.

Under the terms of the agreement with the city, D.B.F. would build, own and assume responsibility for the long-

term financing of the bridge structure. D.B.F. would lease the bridge back to the city over a period of 30 years. At the end of the lease period, the bridge would be the property of the City of Winnipeg. The lease covers the area in which the bridge is built and which consists of the airspace above the north and the south ends of Moray Street on each side of the Assiniboine River and the bed of the river in between. The city, as sublessee, will pay D.B.F., as sublessor, certain amounts of money as rent for the term of the sublease.

Under the terms of the public-private partnership, D.B.F. would have the right to register the lease at the Winnipeg Land Titles Office and obtain a leasehold title. D.B.F. required financing to build the bridge, and it was D.B.F.'s intention that its lender would in turn register a mortgage against its leasehold title as security for the money D.B.F. had borrowed. Normally, if D.B.F. should default, the lender would be entitled to become the owner of D.B.F.'s leasehold land and the Charleswood Bridge, thereby recovering their loan. The issue for the city and D.B.F. is that Subsection 58(2) of The Real Property Act does not permit, and I quote, public highways embraced in the description of the land to be included in the certificate of title.

The bill amends The Real Property Act to enable D.B.F. to become the registered owner of the bridged lands. In addition to the amendments to The Real Property Act which City Council requested, the bill contains an amendment which clarifies that the city have the authority under The City of Winnipeg Act to lease the public right-of-way to D.B.F.

I wish to emphasize that the proposed amendments are intended to address the specific circumstances of the public-private partnership between the city and D.B.F. In other words, The Real Property Act would continue to prohibit public highways from being included in a certificate of title held by private entities with the Charleswood Bridge as the exception.

The province committed \$14,858,600 from the Urban Capital Projects Allocation, Part 2, towards the construction of the Charleswood Bridge. The construction of the Charleswood Bridge was the first example of the public-private partnership in Winnipeg. It has been a highly successful project. The project used a fast-track design-and-build method and was completed within a

year from the original sod turning ceremonies in October 1994, ceremonies which I attended along with the member for Charleswood (Mr. Ernst) and the member for Sturgeon Creek (Mr. McAlpine) along with city councillors at the official opening just a while ago.

The design, the construction, the maintenance, and financial risk were transferred to the developer from the city. As a result of the public-private partnership, project costs were estimated to have been reduced by approximately 7.5 percent. My department is very pleased that the City of Winnipeg is pursuing initiative approaches to providing municipal facilities that have the highest quality, while saving taxpayers money.

Bill 16 allows us to adapt legislation developed in former times to meet the circumstances of our present situation. Therefore, I would recommend Bill 16 to the honourable members of this Legislature for their consideration and adaptation. Thank you.

Mr. Gregory Dewar (Selkirk): I move, seconded by the member for Osborne (Ms. McGifford), that the debate be now adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Would you call Bill 21, please.

Bill 21—The Oil and Gas Production Tax and Oil and Gas Amendment Act

Hon. Darren Praznik (Minister of Energy and Mines): Madam Speaker, I would move, seconded by the honourable Minister of Urban Affairs (Mr. Reimer), that Bill 21, The Oil and Gas Production Tax and Oil and Gas Amendment Act; Loi concernant la taxe sur la production de pétrole et de gaz et modifiant la Loi sur le pétrole et le gaz naturel, be now read a second time and be referred to a committee of the House.

Motion presented.

Mr. Praznik: I will attempt to be very brief in my introduction of this piece of legislation. I notice upon introducing it to the House that many members, including some on this side, asked if this was the bill that would reduce the price of gasoline. Regrettably it is not. This

particular piece of legislation amends or updates several of our practices with respect to the levy of tax and the administration of tax on oil and gas wells in the province of Manitoba.

It, by and large, is part of our effort to continue to build this industry in the province, and it is a fairly significant industry overall but certainly to the southwestern part of the province. We have been doing many things, part of which has been updating our legislation to ensure, I think, a smoother administration of our necessary tax requirements in legislation. A few of the things that this bill does, Madam Speaker, is with respect to how we actually deal with the collection of tax, to take out the uncertainty. Many wells in our province are owned by a number of people, a number of people may have working interests in them. So this better defines who has the responsibility and who the government actually has the authority over to collect, so that we have, in essence, one person to go after and deal with directly.

There is also some change and amendment to provisions for information and the keeping of records which, again, I believe, Madam Speaker, goes towards streamlining and making more effective our ability to monitor the production on those wells which is critical to us to determine the rates of tax. As well, there is provision with respect to confidentiality of information which is important to maintain for people working in that particular industry. We also provide for a number of these sections the appropriate appeals.

* (1630)

Madam Speaker, I know whenever one brings in a piece of legislation such as this, that really is the administrative document for a fairly complex tax system in a pretty niche industry in our province, that there are a lot of specific questions I know members opposite will have about the whole system and how this fits into it. I look forward to this particular legislation moving to committee when we will have with us our experts on our taxation system in this area. I am certainly more than prepared to make critics in the parties—that staff available to them before this bill comes back for further debate later in the fall or before committee so that they can fully appreciate the tax system for oil and gas and the amendments that were brought in. I think that would be a very good way to tackle what is a fairly complex issue.

So I make that offer to my critics, and I look forward to taking this bill to committee and the discussion that will occur there.

Ms. Diane McGifford (Osborne): Madam Speaker, I move, seconded by the member for Selkirk (Mr. Dewar), that debate be now adjourned.

Motion agreed to.

Hon. Jim Ernst (Government House Leader): Would you please call Bill 22.

Bill 22—The Credit Unions and Caisses Populaires Amendment Act

Hon. Jim Ernst (Minister of Consumer and Corporate Affairs): I move, seconded by the Minister of Urban Affairs (Mr. Reimer), that Bill 22, The Credit Unions and Caisses Populaires Amendment Act; Loi modifiant la Loi sur les caisses populaires et les credit unions, be now read a second time and be referred to a committee of this House.

Motion presented.

Mr. Ernst: Madam Speaker, Bill 22 contains a number of changes to update The Credit Unions and Caisses Populaires Act. The bill will strengthen and improve the operation of Manitoba's credit unions and caisses populaires systems. The amendments to the act will provide enhanced control and reduced risk in the systems. They are also intended to allow credit unions and caisses populaires to compete on a level playing field with other financial institutions operating in Manitoba and to recognize significant improvements in the systems in recent years.

The changes, Madam Speaker, result from several developments and circumstances. The current act was proclaimed in 1987. Since that time, changes in the financial services sector and in technology, plus increased competition, have affected how credit unions and caisses populaires operate. These factors were identified in the review of the act and its regulations which included a wide-ranging consultation process.

The review included representatives of the Credit Union Deposit Guarantee Corporation, La société

d'assurance dépôts des caisses populaires du Manitoba, Credit Union Central and La fédération des caisses populaires. Credit Union Central and La fédération also consulted with management and directors of credit unions and caisses populaires on the legislative proposals. They have expressed their agreement with these amendments.

The amendments will make a number of changes in the accountability and responsibilities of credit union directors. Qualification requirements will be expanded to reduce conflict of interest situations. The items on which directors must report to their members will be expanded, and directors in arrears of their debt obligations through a credit union will be disqualified. In addition, a process will be introduced for selecting the board of directors and chairpersons of the deposit guarantee corporations.

Several provisions will improve credit union stability and increase accountability. One is that we are adopting the standards for capital adequacy set by the bank of international settlements. They are based on the risk ranking of credit union and caisses populaires assets, something I am sure all members are familiar with. Also, the maximum amount of a loan to a member will be reduced from 10 percent to 5 percent of the shared capital and deposits of the credit union. Audit committees will be mandatory, and the duties of the committees will be spelled out. We are adding provisions to enable credit unions and caisses populaires to establish and own subsidiaries. The bill also refines the process for ending membership in a credit union or a caisse populaire. We will eliminate the need for credit unions to file their by-laws with the registrar of credit unions.

Madam Speaker, in recent years, our credit unions and caisses populaires systems have greatly increased their ability, their financial strength and successes, and also their importance in the business and community life of Manitoba communities. We believe these changes to their operating legislation will put our credit unions and caisses populaires in a good position to further serve and compete in Manitoba's financial marketplace.

Thank you, Madam Speaker.

Ms. Diane McGifford (Osborne): I move, seconded by the member for Selkirk (Mr. Dewar), that debate be now adjourned.

Motion agreed to.

House Business

Hon. Jim Ernst (Government House Leader): Madam Speaker, that concludes the second reading of bills as listed on the Order Paper for today.

On a matter of House business for tomorrow, and I will be moving shortly to the Supply motion, but for tomorrow we will consider Estimates here in the Chamber. Starting at 9 a.m. will be the Department of Justice, should I get leave from members of the House to do that.

Madam Speaker: Does the honourable government House leader have leave for tomorrow's Committee of Supply Estimates in the Chamber as Justice? [agreed]

Mr. Ernst: Of course, there will be continuing Estimates of the Department of Agriculture in the committee room.

In that case, Madam Speaker, I move, seconded by the Minister of Natural Resources (Mr. Driedger), that Madam Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

Motion agreed to, and the House resolved itself into a committee to consider of the Supply to be granted to Her Majesty, with the honourable member for La Verendrye (Mr. Sveinson) in the Chair for the Department of Agriculture; and the honourable member for St. Norbert (Mr. Laurendeau) in the Chair for the Department of Justice.

COMMITTEE OF SUPPLY

Mr. Chairperson (Marcel Laurendeau): The committee will come to order.

Hon. Jim Ernst (Government House Leader): I believe there is a will of the House to call it 5:30.

Mr. Chairperson: Is it the will of the committee to call it 5:30? [agreed]

The hour being 5:30, this committee is now recessed until tomorrow at 9 a.m. (Friday).

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 23, 1996

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